

Municipal Government
Inland Port Special Planning Area
Community and Regional Planning Branch
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File No.: 13-2-002-2016-0050

INLAND PORT SPECIAL PLANNING AUTHORITY

RE: INLAND PORT SPECIAL PLANNING AREA BY-LAW 1-16 TO RE-ZONE PART 20, 21, 29 and 30-11-2E FROM CENTREPORT RURAL ZONE TO "I3" INDUSTRIAL HEAVY ZONE (CENTREPORT CANADA INC. - APPLICANT)

The intent of this application is to re-zone +/- 32.78 acres of part of 20, 21, 29 and 30-11-E from CentrePort Rural Zone to "I3" Industrial Heavy Zone to establish a heavy industrial use, being a high through-put grain elevator, bean processing (sorting) facility and associated rail infrastructure. The proposal is to accommodate the establishment of BroadGrain Commodities on site. The area proposed for re-zoning was conditionally approved for subdivision (2 lots) in September 2015. Please see subdivision map attached.

INLAND PORT SPECIAL PLANNING AREA REGULATION 48/2016:

Development Plan:

Policies within the Inland Port Special Planning Area Regulation support businesses that benefit from access to tri-modal transportation.

The area proposed for re-zoning is designated Rail Serviced Industrial according to the Development Plan. Policies within this designation support development of uses that will benefit from direct rail service. Developments should be designed with sufficient space to accommodate the transfer of heavy goods from truck to rail and vice versa. BroadGrain Commodities has engaged an engineering firm to ensure the design of the rail infrastructure and location of buildings on site meets their needs. The proposed use is compatible with the objectives and policies of the Rail Serviced Industrial designation.

Areas on either side of Omand's Creek are designated as Open Space according to the Development Plan. Omand's Creek and this Open Space designation bisect the area to be re-zoned at its eastern edge. The purpose of the Open Space designation is to preserve the natural character of existing open spaces and where possible, to incorporate active transportation corridors adjacent to local creeks. Due to safety risks associated with an active transportation corridor within a rail park, it is not appropriate to develop an active transportation corridor at this location. The natural features of the area of Omand's Creek will be preserved and a drainage study being completed as part of the subdivision conditional approval will ensure that drainage at this location is addressed appropriately.

Urban Design and Landscaping policies for Rail Serviced Industrial lands note that buildings may be located anywhere on the parcel and buildings will have ground floor frontages, include loading docks and front yards that will shape the utilitarian streetscape. Native plantings are encouraged and parking lots should be designed and managed to reduce velocity and flow of stormwater, as well as pollutant discharges. In the Rail Serviced Industrial designation, street trees may be present on the perimeter streets to spatially define and buffer those streets from other uses while accommodating the needs and

safety requirements of large service and delivery vehicles. It is recommended that the Development Agreement address landscaping requirements within the BroadGrain building site alongside PR 221 (Rosser Road).

Development will be required to hook up to municipal services (water and wastewater) when available.

Zoning By-law:

The subject property is currently zoned CentrePort 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 use for the two lots is "I3" Heavy Industrial Zone. Land uses within this zone are to be oriented towards heavy industrial use including multi-modal, intermodal and specialized shipping facilities. Streetscapes shall be comprised of industrial frontages, including loading docks and accommodate movement of large cargo trucks and service delivery vehicles, and may include non-obstructive plantings for shade.

Heavy industry is a permitted use within this zone and the Industrial Corridor Overlay standards apply:

Use	Parking	Building Height	Building Setbacks			Parking Access	Site Coverage
			Front	Side	Rear		
Industry, Heavy	1/3 of employees	3 stories maximum	1.5 m. (5 ft.)	6.1 m. (20 ft.)	6.1 m. (20 ft.)	18.3 m. (60 ft.) from corner	70% maximum

A site plan for the establishment of the building lot has been provided. The only zoning requirement that may not be met based on the current site plan is the parking access setback of 60 feet from the corner of the lot for the westerly access. This access should be moved slightly east to ensure the setback requirement is met. All other zoning requirements listed above appear to be met but will be verified prior to issuance of a Development/Building Permit.

Zoning requirements, including meeting the minimum of five Sustainable Development Measures will be verified prior to the issuance of a Development/Building Permit, although it is recommended the developer submit their proposal as a condition of zoning. The development is likely to automatically qualify for 3 points for "Rail Use" as 60% or greater of raw and finished goods are likely to be transported by rail. The development is also required to maintain the Performance Standards outlined in the Zoning By-law for the "I3" Industrial Heavy Zone.

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:

Conservation and Water Stewardship: A license under *The Environment Act* may be required for the bean processing plant portion of the development. A more detailed description of the proposed development is required so that a determination of whether licensing is required can be made.

CWS also noted the applicant has to meet the *Onsite Wastewater Management Regulation* prior to installing the proposed holding tank. This requirement is reflected as a condition of subdivision approval.

Winnipeg Airports Authority: The proposed location is in what is referred to the OLS, an area of airspace where Airport Zoning Regulations apply. The proposed building height is 65.53 metres, which is within the height maximum of 68.80 metres. WAA will monitor development to ensure the building height does not increase. South Interlake Planning District verifies building height with WAA/Nav Canada/Transport Canada prior to issuing a Building Permit.

Infrastructure and Transportation: Does not object to the proposal but notes a permit is required for any new, modified or relocated access to PR 221 (Rosser Road). This requirement is reflected as a condition of subdivision approval.

Manitoba Infrastructure and Transportation is proceeding with road closures in the area, including the portions of PR 221, Summit Road and Sturgeon Road that intersect with the proposed area to be re-zoned. These areas of public road will be closed and become part of the BroadGrain lot.

South Interlake Planning District: Noted the developer should ensure that a road access wide enough for long trucks, including fire trucks, be accommodated. Sufficient water for fire suppression should be stored on site until such time as the development is serviced.

RM of Rosser: Requested a risk assessment be conducted due to the fact there are residences within 1 mile of the subject property.

MTS Inc. – require an easement and an easement agreement.

No concerns: **Agriculture, Food and Rural Development, City of Winnipeg and Historic Resources.**

No comments were received from **Mineral Resources, Office of the Fire Commissioner, Transport Canada or Manitoba Hydro.**

COMMENTS/RECOMMENDATION:

The proposed re-zoning is in keeping with the intent of CentrePort as a multi-modal inland port and with the policies of the Rail Serviced Industrial designation of the Development Plan.

Because the application is associated with the subdivision of the lots, the majority of requirements and comments raised in the technical review are already reflected as conditions of subdivision approval.

The RM of Rosser requested a risk assessment be conducted due to the fact there are residences within 1 mile of the subject property. The Zoning By-law sets a standard that no new industrial structures can be established within 500 feet of an existing residence. The proposal meets this requirement.

Were an application for a license under *The Environment Act* required, the applicant has to describe the existing environment in the project area, provide a description of environmental and human health effects of the proposed development, propose mitigation measures and follow-up plans, including monitoring and reporting. This would likely address any concerns from Rosser that they are seeking in the requested risk assessment.

To address additional requirements specific to the re-zoning and raised during the technical review, the Board may consider recommending the following conditions:

1. Confirmation that an easement has been obtained and an Easement Agreement has been entered into with MTS Inc. The applicant will be required to register the agreement on title.
2. Confirmation from Conservation and Water Stewardship's Environmental Approvals Branch that a license under *The Environment Act* has either been obtained or is not required.
3. That the Development Agreement being entered into for the subdivision also reflect the requirement for perimeter trees (landscaping) to define the street while accommodating the needs and safety requirements of large vehicles. This would apply only to the building site and alongside PR 221 (Rosser Road).

4. Confirmation that the westerly access to the building site is moved to meet the parking access setback of 60 feet from the corner of the lot.
5. That the developer submits their proposal to meet the minimum of five Sustainable Development Measures outlined in the Zoning By-law.



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c.: CentrePort Canada Inc., applicant