

Indigenous and Municipal Relations

Inland Port Special Planning Area
Community and Regional Planning Branch
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File No.'s: 4172-2016-7526 and 13-2-172-2016-0107

INLAND PORT SPECIAL PLANNING AUTHORITY

RE: INLAND PORT SPECIAL PLANNING AREA APPLICATION TO SUBDIVIDE AND BY-LAW 3-16 TO RE-ZONE PART SE ¼ 33-11-2E FROM INLAND PORT RURAL ZONE TO "I2" INDUSTRIAL GENERAL ZONE (TOM JANZEN c/o MAPLE LEAF CONSTRUCTION - APPLICANT)

Maple Leaf Construction (c/o Tom Janzen) has proposed to subdivide and re-zone one +/- 20.06 acre parcel from a +/- 98.72 acre parcel legally described as Pt. SE ¼ 33-11-2E and owned by Maple Leaf Construction. The lot is intended for general industrial use, being a new corporate headquarters including a combined office building (46,656 ft² over two levels) and indoor equipment storage/shop (54,251 ft²) and a separate outbuilding (6,200 ft²). This site will accommodate approximately 250 employees and an extensive equipment fleet. The property is located at the northwest corner of the intersection of Farmer Road and Klimpke Road. Access is proposed off Farmer Road. The lots are to be serviced with municipal water and sewer.

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 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.

Klimpke Road is identified as an Expressway as it will be the future extension of CentrePort Canada Way (CCW) where it will meet up with the extension of Chief Peguis Trail north of the property. Exact routing will be determined in a future detailed highway planning and design process. As individual applications are made, the appropriate amount of right-of-way for the expressway should be obtained. It is anticipated that, at a minimum, 100 m. (328 ft.) of right-of-way, likely centred on Klimpke Road will be required. This could be obtained by Rosser as a condition of re-zoning or an alternative could be that development be restricted within this area in anticipation of establishment of the future right-of-way. Private access from an expressway would also be prohibited and access may need to be altered when the expressway is built. The extension of CCW is also identified as an Active Transportation (AT) Corridor. Manitoba Infrastructure has stated in their comments on the subdivision that AT infrastructure could be accommodated within the 100 m. right-of-way. The Development Plan further requires that any development fronting on an AT corridor is expected to provide additional landscaping or a site design that helps create an appealing environment for the AT facility.

New industrial uses should attempt to reduce the potential impact on nearby existing uses. This may include locating key access points away from existing uses, conforming to performance standards outlined in the Zoning By-law and screening or separating land uses, which may include fencing, earth berms and/or vegetation. Existing uses surrounding the subject site include Little Mountain Sportsplex and Little Mountain Park to the south and existing residential properties to the east and north, although the residence to the north is owned by the proponent. The application illustrates the intent to establish planting buffers on the south and east edges of the property.

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

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. Streetscapes shall be comprised of utilitarian frontages, including loading docks, facilities for movement of large cargo trucks and service and delivery vehicles, and trees planted for shade.

General industry and warehousing/storage 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		
Industry, General	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. The parking access setback may have to be altered to meet the requirements; however, the site plan will have to change anyways based on the right-of-way requirements. 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. This application meets the setback requirements.

It is recommended the developer submit their proposal for meeting the Sustainable Development Measures as a condition. The application does state that bicycle storage is proposed which can be used towards the completion of the Sustainable Development Measures.

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:

The Property Registry (Land Titles): a Plan of Subdivision prepared by a Manitoba Land Surveyor is required.

The RM of Rosser: Farmer Road will have to be paved (upgraded to RTAC standards), traffic impact study will be required that will look at, but not be limited to, any signalization requirements at the intersection of Farmer Road and Route 90, the proposal will have to meet Rosser's drainage study requirements, including lot grade approvals. A development agreement will have to be entered into which, among other things, will address that payment of Capital Lot Levy's. Public reserve should be obtained for the extension of CentrePort Canada Way/Chief Peguis Trail.

Infrastructure:

Comments provided on the subdivision:

Recommends the subdivision should not be approved as proposed. Klimpke Road has been identified as the future extension of CentrePort Canada Way (CCW) connecting to the proposed westerly extension of Chief Peguis Trail (one half mile north of Farmer Road). Sufficient land should be set aside for the future construction of CCW. It is estimated that a minimum right-of-way requirement for this roadway would be 100 m, centered on the existing right-of-way of Klimpke Road. This would allow for a four lane divided roadway with a 22.4 wide median, and could accommodate an active transportation facility. The final details of the right-of-way width and exact location of this corridor should be determined in discussions with the RM of Rosser, the City of Winnipeg and Manitoba Infrastructure.

The MI comments noted that the Plan of Development drawing provided in the application does not appear to set aside sufficient land for the preliminary requirements for the future CCW extension. As the alignment for the upgrading along Klimpke Road has not been finalized, they suggest that development on the lot be located further west. It is also noted the proposed easterly access on Farmer Road, although identified as temporary, is too close to the intersection of Farmer Road and Klimpke Road to allow for an appropriate future intersection configuration. It is recommended the subdivision be designed to rely on a permanent access to the west.

There may also be requirements for additional right-of-way at the junction of Klimpke Road and Chief Peguis Trail to allow for intersection improvements that may affect the residual land. These details should also be determined in discussions between the RM of Rosser, the City of Winnipeg and MI.

No private access or public roadway connections should be permitted onto this portion of Klimpke Road between Farmer Road and the future CCW/Chief Peguis Trail.

Based on the size and type of development, MI is concerned with the potential impact that the additional traffic generated by this proposal will have on traffic operations and safety on roadways in this area. MI recommends a Traffic Impact Study be prepared to determine the impact that the additional traffic will have. The Traffic Impact Study will have to be prepared by a qualified professional transportation engineer and will identify the type of improvements that may be required.

MI also has drainage concerns with the proposal due to its size and type of development. As a condition of approval, sufficient information will have to be provided to our regional Technical Services Engineer to determine if drainage from this site will adversely affect the provincial highway drainage system. If necessary, a drainage plan prepared by qualified experts may be required. Any required drainage revisions to the highway drainage system will be the responsibility of the developer.

Additional comments provided on the re-zoning:

Until further study is completed, the exact amount of land required for the widening of Klimpke Road to allow for its upgrading to CCW/Chief Peguis Trail is unknown. MI would prefer to defer the approval of any development proposals until the location and right-of-way requirements have been determined.

Manitoba Hydro and MTS. Inc. both require easements and Right-of-Way Agreements.

City of Winnipeg requests that appropriate mitigation measures be requested as a condition of approval to minimize the potential impact of noise, dust and/or vibrations on Little Mountain Park. The City also requested the following be added as a condition of approval in the subdivision:

- An additional 50 m on the west side of Klimpke Road right-of-way be reserved for the future right-of-way of CentrePort Canada Way, which will meet up with the Chief Peguis Trail extension north of the subject site;
- Access points to the site shall not be permitted on Klimpke Road and should be away from existing uses (Little Mountain Park) and not infringe on the use of Little Mountain Sportsplex; and
- Site fencing, tree lines, earth berms or other features to reduce potential noise and visual impacts on Little Mountain Park and Little Mountain Sportsplex be incorporated in the site design.

Note that the proposed plantings shown on the site plan would meet the City's requirements.

Sustainable Development:

The Environmental Compliance and Enforcement Branch notes that the alteration of an existing wastewater collection system requires approval pursuant to Sections 6 and 7 of the *Water Works, Sewerage and Sewage Disposal Regulation M.R. 331/88R* under *The Public Health Act*.

The Office of Drinking Water has no concerns with the subdivision provided that the proposed lots will be connected to the RM of Rosser public water system and there are no inter-connections between existing private wells and the supply. Submission of drawings and specifications to the Office of Drinking Water is not necessary as long as standard design and construction practices and provincial requirements for separation between water and wastewater lines are observed.

Water Control Works and Drainage Licensing Section has no concerns.

Sport, Culture and Heritage (Historic Resources Branch): The potential to impact significant heritage resources has been deemed high in this area and, therefore, the Branch has concerns with the project.

Under Section 12(2) of The Heritage Resources Act, if the Minister of Sport, Culture and Heritage has reason to believe that heritage resources or human remains are known, or thought likely to be present, on lands that are to be developed, then the owner/developer is required to conduct at his/her own expense, a heritage resource impact assessment (HRIA) and mitigation, if necessary, prior to the project's start.

The developer must contract a qualified archaeological consultant to conduct a Heritage Resources Impact assessment (HRIA) of the proposed development location, in order to identify and assess any heritage resources that may be negatively impacted by development. If desirable, the Branch will work with the developer/land owners and its consultant to draw up terms of reference for this project.

South Interlake Planning District: The developer should ensure the site layout can accommodate fire trucks and that water supply for fire suppression on site is addressed adequately.

No concerns: **Agriculture, Winnipeg Airports Authority and Transport Canada.**

No comments were received from **Growth, Enterprise and Trade (Mineral Resources)** and **Office of the Fire Commissioner.**

COMMENTS/RECOMMENDATION:

The most significant consideration with respect to this application is the future extension of CentrePort Canada Way (CCW). Exact routing of CCW is unknown; however at this location it is more than likely to be developed along the existing Klimpke Road right-of-way. It is recommended that a minimum 100 m. right-of-way be taken as public reserve to accommodate the extension of CCW and the AT corridor with the intent that it will be opened as public road in the future. Additional land may be required for intersections at Klimpke Road/Farmer Road and Klimpke Road (CCW)/Chief Peguis Trail. Inevitably, this will mean that the buildings and layout of the site will likely have to be oriented further west than is shown on the proposed site plan. All of this will have to be done in consultation with Rosser, the City of Winnipeg and MI.

The Development Plan further requires that any development fronting on an AT corridor is expected to provide additional landscaping or a site design that helps create an appealing environment for the AT facility. This is recommended as a condition of approval.

Policies state new industrial uses should reduce potential impact on nearby existing uses by incorporating fencing, a tree line or earth berm to screen or separate land uses. For this particular application, existing and nearby uses include Little Mountain Park, Little Mountain Sportsplex and several rural residential sites. The site plan proposes significant landscaping buffers to screen from Little Mountain Sportsplex and Little Mountain Park that would meet the requirements of the Development Plan and Zoning By-law. The City of Winnipeg has also noted that the proposed buffers would meet their requirements. The landscaping would be detailed in the Development Agreement to ensure the plantings are established as proposed.

It should be noted this subdivision and re-zoning application are similar to a subdivision and re-zoning application that was rejected by the former Approving Authority in December of 2015. That application was for the same location and the same proponent, but a 60 acre site was proposed. As the size of the lot was one of the concerns identified, this application was revised with a smaller footprint. The site plan provided for this application also gives a lot more detail in terms of the layout, parking, buildings and landscaping plans for the site than the first application.

If the Board decides to recommend approval of the subdivision application, the approval should be conditional on the following:

1. That the applicant/owner enter into a development agreement with the Municipality 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 sewer and water services, road upgrades, establishment of proposed landscaping, a traffic impact study and application of the Capital Lot Levy By-law.
2. Confirmation from Manitoba Infrastructure that drainage onsite will not adversely affect the provincial highway system.
3. Confirmation from Manitoba Infrastructure that a Traffic Impact Study has been provided and any items identified have been addressed appropriately.
4. Confirmation from Manitoba Infrastructure, the RM of Rosser and the City of Winnipeg that appropriate right-of-way has been obtained for the future extension of CentrePort Canada Way and any required intersection improvements at Klimpke Road/Farmer Road and Klimpke Road (CCW)/Chief Peguis Trail.
5. Confirmation that an Easement Agreement has been entered into with Manitoba Hydro.
6. Confirmation that an Easement Agreement has been entered into with MTS Inc.

7. That the developer submits a revised site plan illustrating how any additional right-of-way requirements may be accommodated and to illustrate how additional landscaping or a site design that helps create an appealing environment for the AT facility will be accommodated.
8. That the developer submits their proposal to meet the minimum of five Sustainable Development Measures outlined in the Zoning By-law.
9. That a heritage resource impact assessment (HRIA) has been completed and that any mitigation, if necessary, has been addressed.

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.



Meagan Boles
Senior Planner, CentrePort

c.: Tom Janzen, applicant