

INLAND PORT SPECIAL PLANNING AUTHORITY

REPORT AND RECOMMENDATION

Recommendation Date: June 29, 2016

File No.: 13-2-002-2016-0108

MATTER: Zoning By-law Amendment

BY-LAW NO.: 4-16

HEARING DATE: June 29, 2016, Winnipeg

PANEL: Frances Smee, Chair
Serge Scrafield, Co-Chair
Kelvin Stewart, Member
Marina James, Member
Linda McFadyen, Member

PARTIES AND APPEARANCES: *for the applicant*

Ian Corbett

for Community and Regional Planning Branch

Meagan Boles, Senior Planner, CentrePort

presenters

nil

INTRODUCTION

The intent of this application is to re-zone one existing parcel of +/- 10.18 acres and legally described as part SW ¼ 28-11-2E (8064 Park Royale Way) from Inland Port Rural Zone to "I2" Industrial General Zone to establish a vehicle oriented service, being a repair shop for trucks and trailers. The property is owned by Tak Yuen Sung and there is an existing steel warehouse building on site (approximately 1800 ft²) that is to be retained. The applicant, CentrePort Truck and Trailer Services Inc. proposes a 10,000 ft² service shop, parking for trucks and trailers as well as the potential for a future addition to the service shop of 10,000 ft².

ISSUE AND LEGISLATION

The issue before the Board is to make a recommendation to the minister to approve the proposed re-zoning, with or without conditions or reject the proposed re-zoning.

Section 12.2(1)(a) of the *The Planning Act* states that the mandate of a special planning authority, in respect of its special planning area, is to hold hearings to consider, among other things, an amendment to a zoning by-law.

Section 12.2(2) of the *The Planning Act* states that after holding a hearing on a matter set out in (1)(a), the special planning authority must provide the minister with a report on the hearing that includes the minutes of the hearing, the record of all representations made at the hearing and its recommendations on the matter considered at the hearing.

Section 12.2(5) of *The Planning Act* states that in carrying out its mandate, a special planning authority is to act in accordance with the regulations, being the *Special Planning Areas Regulation 49/2016* and the *Inland Port Special Planning Areas Regulation 48/2016*, being the Development Plan and Zoning By-law for the Inland Port Special Planning Area.

PUBLIC PRESENTATIONS

Meagan Boles, Senior Planner from the Community and Regional Planning Branch presented the planning report. Ian Corbett spoke on behalf of the applicant, CentrePort Truck and Trailer Services Inc.

Community and Regional Planning Branch:

Meagan Boles, Senior Planner presented the planning report. She confirms the area proposed for 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 Zone uses are permitted to establish within this designation.

The proposed zone is "I2" Industrial General Zone. Land uses within this zone are to be oriented towards industrial uses with substantial large cargo truck activity and high cube warehouses. Ms. Boles confirmed that vehicle oriented services are a permitted use within the proposed zone.

Areas along the east edge of the lot are designated as Open Space, which coincides with an existing creek. Ms. Boles noted there are specific policies that require development to reduce the potential impact on nearby sensitive land uses, including ecologically sensitive areas.

The area along the northeast edge of the lot (adjacent to Prairie Dog Trail) is designated an Active Transportation Corridor and it is recommended the municipality obtain a strip of land alongside Prairie Dog Trail as public reserve for an active transportation corridor to be developed in the future. The width of the public reserve can be determined, in consultation with the applicant. Typically, 15-20 ft. would be

considered adequate and in keeping with what has been requested in other applications. Ms. Boles also recommended additional landscaping in this location that helps to create an appealing environment for the active transportation facility.

Urban Design and Landscaping policies require landscaping buffers between industrial development and existing residential dwellings. There is an existing residence to east and two existing residences to the north. Ms. Boles confirmed that although the proposed development meets the setback requirements outlined in the Zoning By-law, additional landscaping is recommended alongside Prairie Dog Trail and the Open Space designation to provide a visual buffer for the existing residences.

Ms. Boles also recommended as a condition that the developer submit their proposal for meeting the Sustainable Development Measures.

During the technical review of the application, Rosser requested the development agreement address drainage, approach upgrades, traffic impacts and the application of the Capital Lot Levy By-law.

Manitoba Infrastructure (MI) noted that a permit is required for any new, modified or relocated access to PR 221 as is additional information to determine if drainage from this site will adversely affect the provincial highway drainage system. MI also requested more detailed information to determine if any on-highway improvements are required to accommodate the proposed development.

In Support of the Application:

Ian Corbett spoke in support of the application on behalf of the applicant, CentrePort Truck and Trailer Services. Mr. Corbett stated that the use is in keeping with the vision of CentrePort and the business will support other businesses in CentrePort by providing truck and trailer servicing.

Mr. Corbett confirmed that the application would bring up to 25 employees to CentrePort and investment in the range of \$2.5m-\$3.0M.

ANALYSIS AND CONCLUSION

The Board has carefully considered the evidence presented at the hearing.

The Board agrees that the application is generally in keeping with the *Inland Port Special Planning Area Regulation 48/2016* and concurred with other recommendations outlined in the planning report.

The Board discussed concerns regarding the plan of development which illustrates truck parking right up to the property line, in particular at the location where the property is adjacent to the existing creek. The Board confirmed that this would not be permitted and the developer will be required to incorporate fencing, tree lines, earth berms or other features on the industrial site to reduce any potential impacts to the creek. This will be detailed in the development agreement.

The Board also discussed potential harmful runoff from the site given that there may be substances such as oil, gas, etc. stored on site. As a result of the discussion, the Board further recommends that Manitoba Sustainable Development confirm that any provincial setback requirements from the creek have been met and provincial standards for any runoff from the site have been addressed.

No other representation was made at the hearing, either questioning or in objection to the planning application.

THEREFORE, THE BOARD RECOMMENDS

That the minister approves the re-zoning application, subject to the following conditions:

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, approval of a lot grade plan, drainage requirements will have to be met, extension of sewer and water services, road upgrades, a traffic impact study and application of the Capital Lot Levy By-law.
2. Confirmation that a permit has been obtained from Manitoba Infrastructure for any new, modified or relocated access to PR 221 and for any proposed construction or placement of structures or objects within the control area adjacent to this highway. If PR 221 is abandoned to the municipality prior to the final approval of the re-zoning, this requirement would be waived.
3. Confirmation from Manitoba Infrastructure that drainage onsite will not adversely affect the provincial highway system.
4. Confirmation from Manitoba Infrastructure that additional information regarding traffic generation by the proposal has been provided and that any concerns have been addressed appropriately.
5. That public reserve be taken along the northeast edge of the lot (adjacent to Prairie Dog Trail) for future development of an active transportation corridor.
6. That the developer submits a revised site plan illustrating fencing, a tree line, earth berm or other features where the easterly lot is adjacent to the Open Space designation and how additional landscaping or a site design that helps create an appealing environment for the future AT facility will be accommodated on site.
7. That the developer submits their proposal to meet the minimum of five Sustainable Development Measures outlined in the Zoning By-law.
8. Confirmation from Manitoba Sustainable Development that setback requirements from the drain have been met and provincial standards for runoff from the site have been addressed.

Submitted by:

Frances Smee
Chair, Inland Port Special Planning Authority

Attachments

c.: CentrePort Truck and Trailer Services c/o Ian Corbett, applicant