



**Inland Port Special Planning Authority**

604-800 Portage Avenue, Winnipeg, Manitoba, Canada R3G 0N4

T 204-945-2146 F 204-948-4042

www.manitoba.ca

December 3, 2020

Honourable Rochelle Squires  
Minister of Municipal Relations  
Room 317 - Legislative Building  
Winnipeg, MB R3C 0V8

Dear Minister:

**RE: INLAND PORT SPECIAL PLANNING AREA BY-LAW 2-20 TO RE-ZONE AND SUBDIVIDE  
PART OF THE SW ¼ 34-11-2 EPM  
IN THE RURAL MUNICIPALITY OF ROSSER FROM  
INLAND PORT RURAL ZONE TO "I2" INDUSTRIAL GENERAL ZONE**

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The Inland Port Special Planning Authority received applications to re-zone and subdivide an approximately +/- 89.0 acre parcel in the Rural Municipality of Rosser CentrePort lands. The required joint public hearing was held November 4, 2020.

The Board has recommended approval, with conditions, of the zoning by-law amendment and subdivision, as it does conform to the *Inland Port Special Planning Area Regulation 48/2016*. Conditional approval of the subdivision will be granted by the Director of the Community and Regional Planning Branch. Ministerial approval is required for the proposed zoning by-law amendment

Enclosed is a report and recommendation of the Inland Port Special Planning Authority on the proposed subdivision and zoning by-law amendment. Also enclosed are the minutes of the public hearing and the record of all representations made at the hearing.

As required by the *Special Planning Areas Regulation 48/2016*, a copy of this report will be provided to each person who made a representation at the hearing.

Yours truly,

Frances Smee  
Chair

Attachments: Public Objection  
Minutes of the Public Hearing  
Copy of Re-zoning and Subdivision Application

# INLAND PORT SPECIAL PLANNING AUTHORITY

## REPORT AND RECOMMENDATION

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Recommendation Date: December 2, 2020

File No.: 13-2-172-2020-2042

**MATTER:** Zoning By-law Amendment

**BY-LAW NO.:** 2-20

**HEARING DATE:** November 4, 2020, Winnipeg

**PANEL:** Frances Smee, Chair  
Marina James, Member  
Kelvin Stewart, Member  
Linda McFadyen, Member

**PARTIES AND APPEARANCES:** *for the applicant*

Meagan Boles

*for the Community Planning Branch*

Kari Schulz, Planner, CentrePort

*presenters*

Doug Kroll

## **INTRODUCTION**

On behalf of 10035606 Manitoba Ltd., the applicant WSP Canada Group Ltd has proposed to rezone and subdivide an approximately 89 acre parcel legally described as Lot 1 Plan 67085 WLTO in the SW ¼ 34-11-2 EPM and Lot 2 Plan 66526 WLTO in the SW ¼ 34-11-2 EPM. The parcel is located in the Rural Municipality of Rosser, west of Brookside Boulevard and north of Farmer Road. The property is immediately west of the BrookPort Business Park. The applicant is proposing to rezone the parcel from "IPZ" Inland Port Rural Zone to "I2" Industrial General Zone and to create 40 new lots ranging in size from 1.52 acres to 4.28 acres.

The proposed subdivision will include an internal public road network with direct access to Farmer Road to the south, two access points connecting to BrookPort Business Park to the east, and two access points connecting to the future phase 4. The proposed lots will be serviced by municipal water and sewer and accommodate industrial development within CentrePort.

## **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, any 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**

Kari Schulz, Planner from the Community Planning Branch presented the planning report. Meagan Boles spoke in favour of the application on behalf of the applicant, BrookPort Business Park Inc. Public attendee Doug Kroll also spoke at the hearing.

### **Community and Regional Planning Branch:**

Kari Schulz, Planner, presented the planning report. She confirms the area proposed for re-zoning is designated as Manufacturing and Logistics. Policies within this designation supports the development of small to medium scale industrial uses.

The proposed "I2" Industrial General Zone will accommodate industrial land uses such as manufacturing, truck activity, warehousing and distribution. The "I2" zone is suitable for small to medium scale industrial development and complementary to the adjacent "I2" uses to the east. Ms. Schulz also noted that this application is for rezoning phase 3 of the BrookPort Business Park and recommended that phase 4 is also rezoned at this time to reduce approval times for the phase 4 subdivision application (when applied for).

Ms. Schulz indicated a technical review of the application was completed. The following recommendations were received:

Manitoba Infrastructure requires:

- a. Additional information to be provided to determine if the development will have an impact on drainage; and
- b. A traffic impact study to determine if any on-highway improvements are required.

2. Manitoba Hydro and Bell MTS will require easements.

Ms. Schulz also noted that the proponent will have to enter into a development agreement with the Rural Municipality of Rosser.

Subsequent developers of each proposed lot will be required to meet the Sustainable Development Measures.

#### **In Support of the Application:**

Meagan Boles spoke in support of the application on behalf of the applicant, 10035606 Manitoba Ltd. Ms. Boles stated that the purpose of the application was to create 40 industrial lots for phase 3 of the BrookPort Business Park. Ms. Boles indicated that the applicant will work with the municipality and other approval agencies to work through the conditions of the re-zoning application. The applicant also provided a flight path survey to address the Winnipeg Airports Authority standard condition, and she agreed to rezoning phase 4 of the development at this time.

#### **In Objection to the Application:**

Doug Kroll objected to the proposed rezoning and subdivision for the following reasons:

- Lots designated for the Chief Peguis Trail extension in the previous subdivision by this developer were not to be developed and a temporary parking lot has been established.
- Farmer Road is in poor condition.
- The subject parcel may contain sites of historical significance.
- The proposed development is the location of a high ridge that is significantly higher than his land by approximately 10 to 15 feet. This results in significant amounts of water draining onto his property.
- The location of Phase 4 has a considerable amount of rocks and aggregate, thereby making development unfeasible.

Chair Smee indicated that the municipal engineer will be in contact with Mr. Kroll to discuss drainage concerns.

Mr. Kroll filed a second objection November 20, 2020 reiterating his concerns presented at the public hearing.

#### **ANALYSIS AND CONCLUSION**

The Board has carefully considered the evidence presented at the hearing and the public objection.

The proposed development will be an extension of the recently subdivided phase 2 of the BrookPort Business Park to the east. Although the applicant has only applied to rezone phase 3 at this time, it is logical and timely to rezone phase 4 as well. The development will also be fully serviced with water and wastewater and contiguous with existing development.

The Board has seriously considered Mr. Kroll's objections and believes that his concerns can and will be addressed through the development process:

- The RM has entered into an agreement with the landowner of a lot that will eventually be required for the Chief Peguis Trail extension. The current parking lot use is temporary and will cease to operate when the land is needed for the extension.
- Farmer Road is currently in poor condition, however as a condition of approval upgrades are required and will be addressed through the development agreement.
- The applicant has supplied the Inland Port Special Planning Area Authority with a historical impact assessment of the area. No sites of historical significance were identified on the subject lands.
- Pre-development flows of water must equal post-development flows and all water must flow in a southerly direction away from Mr. Kroll's property.
- The development of phase 4 may be hindered by the presence of aggregate, however development is still possible and associated costs of the development will be borne by the developer.

Overall, the Board is satisfied that the application is generally in keeping with the *Inland Port Special Planning Area Regulation 48/2016*.

### **THEREFORE, THE BOARD RECOMMENDS**

That the approving authority approves the rezoning application, subject to the following conditions:

1. That a Development Agreement be entered into with the RM 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 (including Farmer Road), establishment of proposed landscaping, traffic impact study, drainage study, lot grading, structure placement on proposed lot 14, and the application of the Capital Lot Levy By-law to phase 3 of the development.
2. That the Inland Port Special Planning Area Regulation 48/2016 is amended to rezone the affected parcel, including phase 4 of the proposed development, to "I2" Industrial General Zone.
3. Confirmation from Manitoba Infrastructure that drainage onsite will not adversely affect the provincial highway system.
4. Confirmation from Manitoba Infrastructure that a Traffic Impact Study has been provided and any items identified have been addressed appropriately.
5. Confirmation from the City of Winnipeg that a Traffic Impact Study has been provided.
6. Confirmation an Easement Agreement has been entered into with Manitoba Hydro and Bell MTS.

Submitted by:

Frances Smee  
Chair, Inland Port Special Planning Authority

Attachments

c.: Meagan Boles, applicant

**From:** [dkkroll@mymts.net](mailto:dkkroll@mymts.net)  
**To:** [+WPG139 - Inland Port Special Planning Authority \(MR\)](#)  
**Subject:** Letter of Objection  
**Date:** November 22, 2020 8:31:06 PM

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Hi Kari, Thank you for your reply to my questions.

I would like to submit my objections for the development at SW34- 11- 2E from proceeding. A large portion of this area that they want to develop is on a high ridge of rocks & cannot be developed in the current condition.

I understand that one of the conditions is for a drainage study of the area. We tested the elevation difference between the edge of the field by Klimpke Rd & the chain link fence by Brookside Blvd. We found an elevation drop of approximately 20 feet by Brookside; this is very visible, even to the human eye. There is also a substantial drop of elevation from the ridge of rocks from the phase 3 & 4 proposed development to our land, which is just north of the proposed development.

We have some very major water drainage issues that have to be addressed, especially if we have a heavy down pour or lots of snow. Reeve Smee told me at the hearing that the drainage engineer will contact me & come see me. I want to make sure that there is a full hydrological study done on the surrounding area. Plus, I would like to see a copy of the final study.

For the record, I would also like to say that I object to the development of a chain link fence & parking lots right up to the property line of phase one. At the hearing it was made very clear that no development at all be allowed so many feet from that property line for future extension of Chief Peguis. In my view no development means no development.

Doug Kroll

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**From:** "+WPG139 - Inland Port Special Planning Authority (MR)"  
<[inlandportspa@gov.mb.ca](mailto:inlandportspa@gov.mb.ca)>  
**To:** "dkkroll@mymts.net" <[dkkroll@mymts.net](mailto:dkkroll@mymts.net)>  
**Sent:** Tuesday, November 17, 2020 10:01:00 AM  
**Subject:** RE: Letter of approval

Hi Doug,

The Board is recommending approval of rezoning Phase 3 and Phase 4, as well as the subdivision of Phase 3. When the developer is ready to subdivide phase 4, there will be another public hearing.

As for the conditions of approval, they are:

1. That a Development Agreement be entered into with the RM 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, structure placement on proposed lot 14, and the application of the Capital Lot Levy By-law to Phase 3 of the development.
2. That the Inland Port Special Planning Area Regulation 48/2016 is amended to rezone the

affected parcel to “I2” Industrial General.

3. Confirmation from Manitoba Infrastructure that drainage onsite will not adversely affect the provincial highway system.
4. Confirmation from Manitoba Infrastructure that a Traffic Impact Study has been provided and any items identified have been addressed appropriately.
5. Confirmation from the City of Winnipeg that a Traffic Impact Study has been provided.
6. Confirmation an Easement Agreement has been entered into with Manitoba Hydro and Bell MTS.

The Board will submit a report with these recommendations to the Minister of Municipal Relations. She ultimately decides to approve or reject the application.

Please let me know if you need any further information.

Kari

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# INLAND PORT SPECIAL PLANNING AUTHORITY

## MINUTES OF PUBLIC HEARING

### ZONING BY-LAW NO. 2-20

**WEDNESDAY, NOVEMBER 4, 2020 at 6:30 p.m.**  
**Victoria Inn, 1808 Wellington Avenue, Winnipeg**

<b>PRESENT</b>
Frances Smee, Chair
Kelvin Stewart, Board Member
Linda McFadyen, Board Member
Marina James, Board Member
Kari Schulz, Planner, CentrePort

<b>RECORD OF REPRESENTATION</b>	<b>IN SUPPORT</b>	<b>OBJECTING</b>	<b>FOR INFORMATION</b>
Meagan Boles	X		
Larry Wandowich			X
Doug Kroll		X	
Sam Sidhu	X		

Chair Frances Smee called the public hearing to order at 6:30 p.m., introduced the Board and explained the purpose and process of the hearing.

Kari Schulz, Planner provided a summary of the procedure for processing rezoning and subdivision applications, provided proof that the hearing was advertised in accordance with *The Planning Act*, and presented the planning report. Ms. Schulz recommended approval of the application with conditions, including rezoning phase 3 and phase 4 as part of this application. Also noted, the planning report contained an error – the condition to provide the City of Winnipeg with a drainage plan is to be removed as the City did not request a copy of the drainage plan. Ms. Schulz confirmed there were no written submissions received on the application.

The following persons were in attendance and spoke:

Meagan Boles spoke on behalf of the applicant, 10035606 Manitoba Ltd., and in favour of the application. The purpose of this application is to rezone approximately +/- 89 acres and subdivide the parcel to create 40 industrial lots. Ms. Boles indicated that the applicant is amenable to all proposed conditions in the planners zoning report, including rezoning phase 4 of the development. She also provided the CentrePort Planner with a flight path survey to address the proposed condition of submitting an approach survey to the Winnipeg Airports Authority.

Mr. Doug Kroll objected to the proposed rezoning and subdivision. Mr. Kroll lives immediately north of the proposed development. He raised several concerns:

- Lots designated for the Chief Peguis Trail extension in the previous subdivision by this developer were not to be developed. Currently a temporary parking lot has been established.
- Farmer Road is in poor condition.
- Potential sites of historical significance on the subject parcels.
- The subject parcel is the location of a high ridge that is significantly higher than his land by approximately 10 to 15 feet. This results in significant amounts of water draining onto his property.
- The location of Phase 4 has too much rocks/aggregate to be developed.

Meagan Boles noted that the developer has completed a historical impact assessment and no significant historical artefacts were located on the subject parcels.

Chairperson Smee stated that the municipal engineer will be in contact with Mr. Kroll to discuss drainage concerns. It was noted that all drainage should be directed south away from Mr. Kroll's property and that pre-development flows must equal post-development flows. Chairperson Smee also confirmed that Farmer Road will be upgraded after construction is complete.

The hearing closed at 6:57 p.m.



**Inland Port Special Planning Authority**

604-800 Portage Avenue, Winnipeg, Manitoba, Canada R3G 0N4

T 204-945-2146 F 204-945-5059

[www.manitoba.ca](http://www.manitoba.ca)

October 2, 2020

**RE: INLAND PORT SPECIAL PLANNING AREA BY-LAW NO. 2-20 TO SUBDIVIDE  
Lot 1 and Lot 2 of Plan 66526 in SW ¼ 34-11-2E AND  
REZONE FROM INLAND PORT RURAL ZONE TO "I2" INDUSTRIAL GENERAL ZONE**

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The Inland Port Special Planning Authority has received and accepted an application to rezone (+/- 89.4 acres) and subdivide the Lot 1 and Lot of Plan 66526 in the SW ¼ 34-11-2E in the Rural Municipality of Rosser CentrePort lands.

Please review the joint rezoning and subdivision application and provide comments by **October 26, 2018**. This office may proceed without your comments if they are not received by October 26, 2020. A public hearing is scheduled for November 4, 2020. Ministerial approval of the proposed zoning by-law amendment is required by the *Special Planning Areas Regulation 49/2016*.

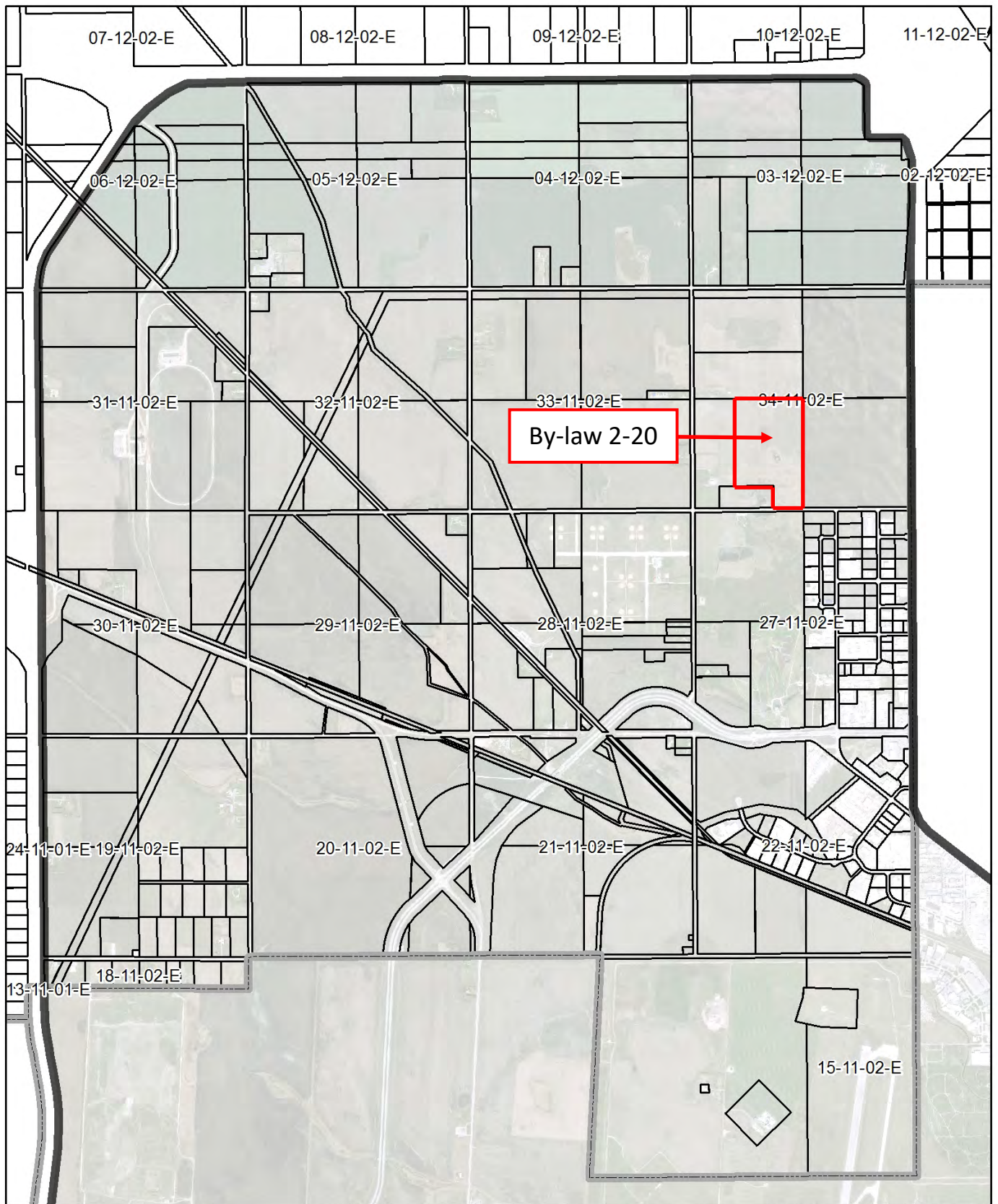
Please distinguish clearly in your comments between departmental recommendations and legislative or regulatory requirements. Also, if reference is made to Provincial or Local Land Use Policies, it should be in detail.

Send email replies to: [kari.schulz@gov.mb.ca](mailto:kari.schulz@gov.mb.ca)

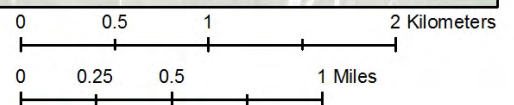
Yours truly,

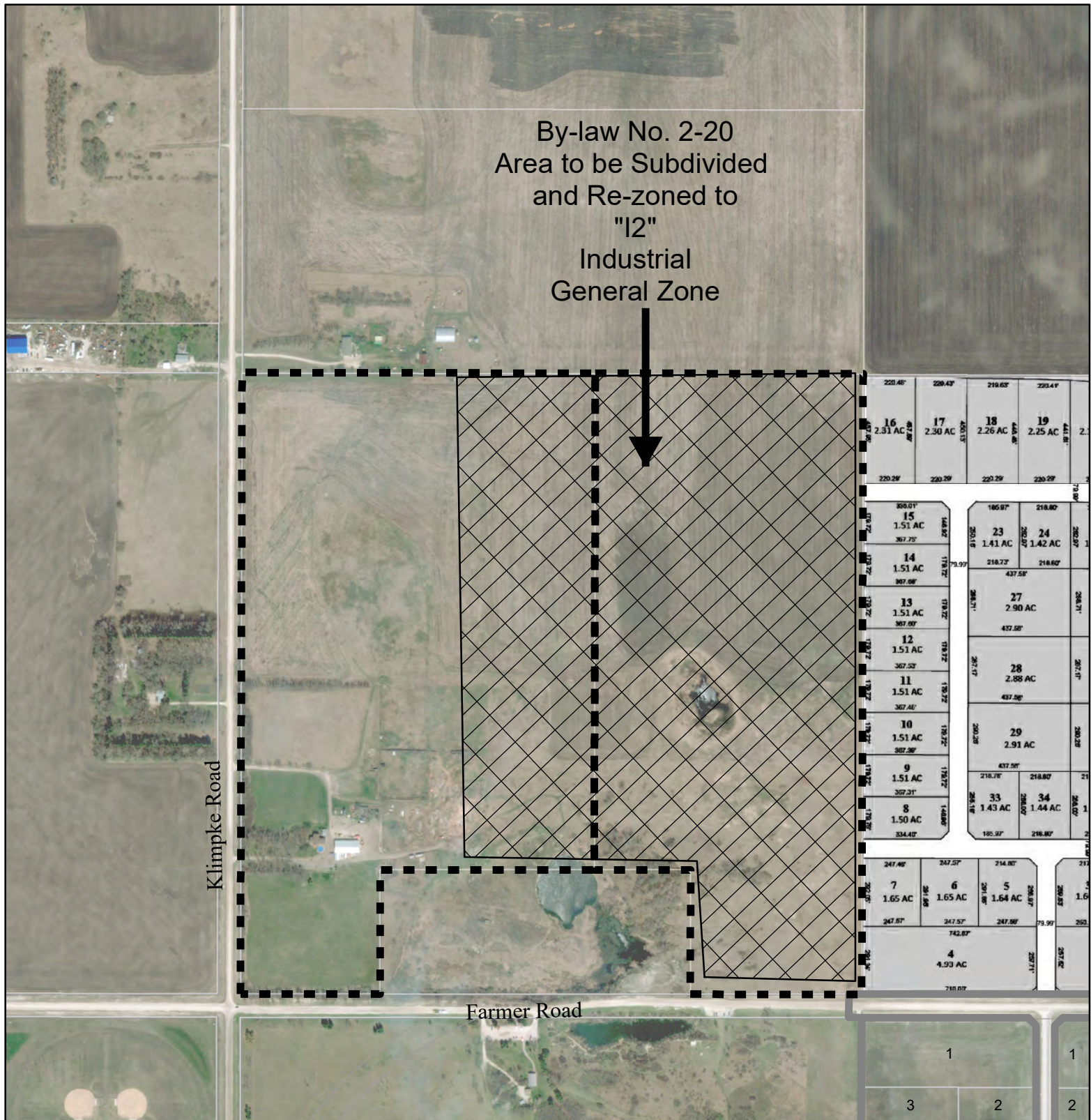
Kari Schulz  
Planner

Encl.



**Inland Port Special Planning Area  
Proposed Zone Amendment  
Regional Setting**









## SCHEDULE "A"

Attached to By-law No.2-20  
of the Inland Port Special Planning Area  
amending Schedule B, Zoning Map 2 of the  
Inland Port Special Planning Area  
Regulation 48/2016

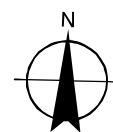
From: Inland Port Rural Zone  
To: "I2" Industrial General Zone

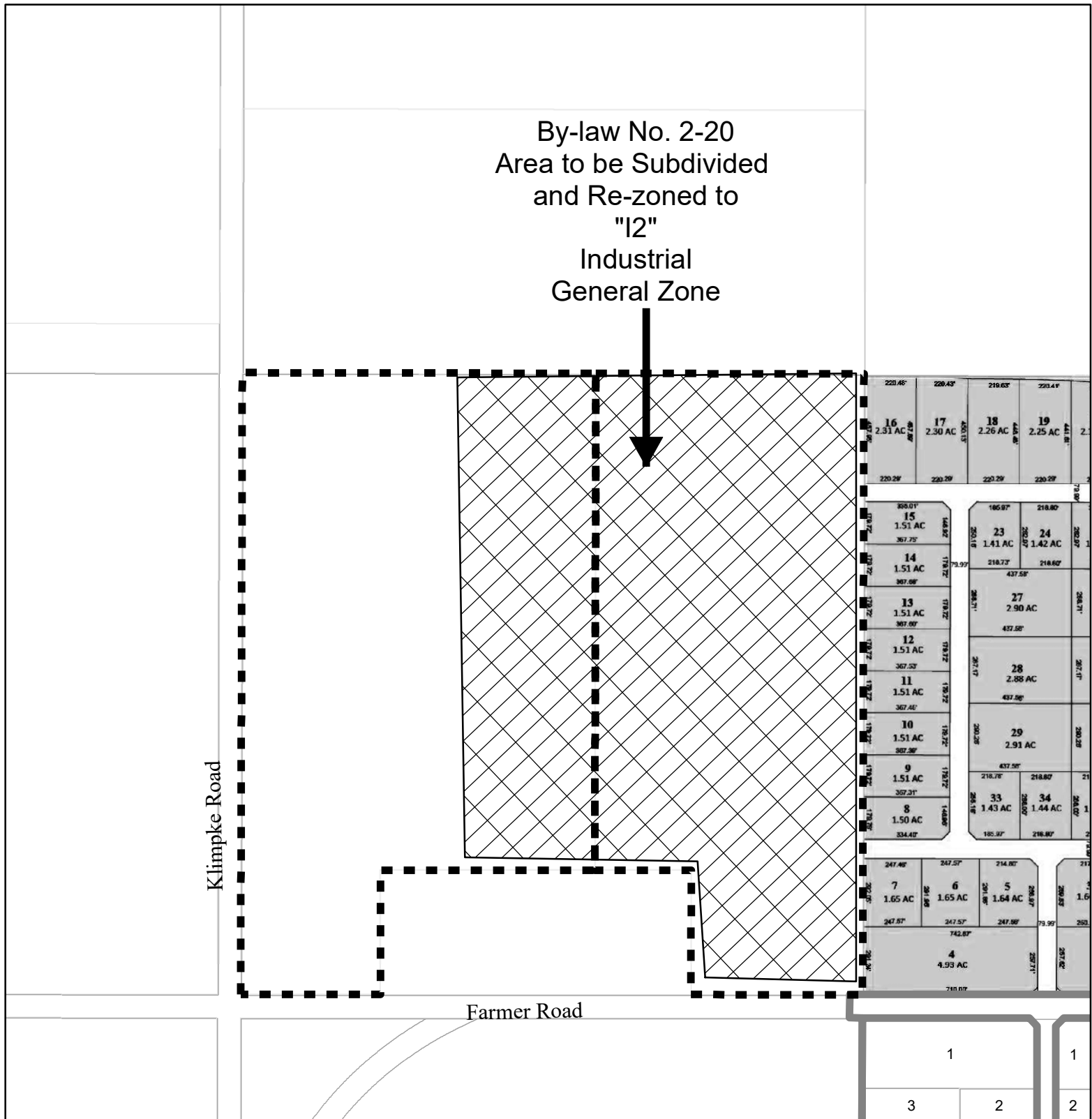
-  **Area to be Re-zoned**
-  **Zone Boundary**
-  **Survey Parcels**
-  **Municipal Boundaries**

## Inland Port Special Planning Area Subdivision & Zoning Amendment

October 2, 2020

1:6,832





## SCHEDULE "A"

Attached to By-law No.2-20  
of the Inland Port Special Planning Area  
amending Schedule B, Zoning Map 2 of the  
Inland Port Special Planning Area  
Regulation 48/2016

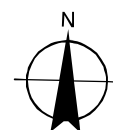
From: Inland Port Rural Zone  
To: "I2" Industrial General Zone

- Area to be Re-zoned
- Zone Boundary
- Survey Parcels
- Municipal Boundaries

## Inland Port Special Planning Area Subdivision & Zoning Amendment

October 2, 2020

1:6,832



# Proposed Subdivision - Inland Port Special Planning Area

Part of SW 1/4 34-11-2 EPM



 Proposed Lots

 Parcel

File Number: October 2, 2020

4172-20-7973

Applicant:

WSP Canada Group Ltd.

Notes:

Inland Port Special Planning Area  
Regulation 48/2016:

Development Plan:  
Manufacturing & Logistics

Zoning By-law:  
Inland Port Rural Zone

Proposed Subdivision:  
CT 3058441/1: +/- 64 acres  
CT 3076095/1: +/- 25 acres  
Proposed Lots: +/- 1.52 to 4.28 acres  
Residual: +/- 50.02 acres  
(future Phase 4)

Refer to subdivision applications  
4172-20-7951 and 4172-20-7973  
for additional details.

Approving Authority

Date





August 28, 2020

Confidential

Kari Schulz  
Inland Port Special Planning Area  
601 – 800 Portage Avenue  
Winnipeg MB R3J 0N4  
[inlandportspa@gov.mb.ca](mailto:inlandportspa@gov.mb.ca)

Dear Ms. Schulz:

**RE: Letter of Intent for Subdivision and Re-Zoning Application for Lot 1 and Lot 2 of Plan 66526 WLTO in SW ¼ 34-11-2EPM**

Please find below the necessary information to initiate a subdivision and re-zoning of Lot 2 of Plan 66526 and a portion of Lot 1 of Plan 66526 from “**Inland Port Rural Zone**” to “**I2 – Industrial General Zone**.” A previous application was submitted and is conditionally approved under CPS File No.: 4172-20-7951 and impacting part of Lot 1 Plan 66526.

**Applicant Information**

WSP Canada Group Limited (WSP), is acting as applicant for the Subdivision and Re-Zoning Application on behalf of 10035606 Manitoba Ltd. (the Client). Prior to future development of the site, which is currently in part under the ownership of Kelly’s Trucking (Lot 1) and 10035606 Manitoba Ltd. (Lot 2), a subdivision and re-zoning is required.

Applicants Contact Information: Meagan Boles, Senior Planner  
WSP Canada Group Limited  
111 – 93 Lombard Avenue  
Winnipeg MB R3B 3B1

Owners Contact Information: Kelly’s Trucking  
Box 29, GRP 210 RR2  
Winnipeg MB R3C 2E6  
  
Sam Sidhu (representative of 10035606 Manitoba Ltd.)  
212 – 211 McPhillips Street  
Winnipeg MB R2V 3M5

The Letters of Authorization for the properties are attached as **Appendix A**.

**Location and Description**

Lot 1 and Lot 2 of Plan 66526 WLTO are located in the SW ¼ 34-11-2EPM, and held under Certificate of Title (CT) 3058437 (Lot 1) and CT 3058441 (Lot 2) in the Rural Municipality of Rosser (Rosser), west of Brookside Boulevard and north of Farmer Road. Lot 2 is +/- 64 acres in size, flat and currently agricultural in nature with no existing buildings or structures on the property. The portion of Lot 1 included in the subdivision and re-zoning is +/- 25 acres in size, and is also flat and currently agricultural in nature with no existing structures on the property. There is a small retention area, which crosses the property line of Lot 1 and the Rosser owned parcel directly to the south.

The Status of Titles are attached as **Appendix B**.

### **Description of Application**

The Client wishes to subdivide and re-zone 89 acres to accommodate future industrial development within CentrePort. A Subdivision Application and the proposed Plan of Subdivision has been attached as **Appendix C**.

The proposed subdivision includes 40 new lots ranging in size from 1.52 acres to 4.28 acres. The proposed subdivision includes an internal public road right-of-way network with direct access to Farmer Road to the south, two access points to the east connecting to BrookPort Business Park (W ½ of SE 34-11-2E). There are no accesses proposed to the north and to the west due to the future plans for the extension of Chief Peguis Trail and its connection south on Klimpke Road to CentrePort Canada Way. WSP has consulted with Manitoba Infrastructure in the preparation of this application, and the Subdivision Application Map illustrates the extent of the concept plan for the future road right-of-way in this area. The only impact to the property currently proposed for subdivision is to Lot 14. Because the impact to Lot 14 is minimal, no property acquisition is proposed as part of the Subdivision Application at this time. With required setbacks, there is little risk that there will be any impediments to property acquisition from Lot 14 in the future. Placement of structure on the lot to prevent any issues may also be addressed as part of the Development Agreement.

A map of the area proposed for re-zoning is attached as **Appendix D**.

### **Development Plan and Zoning By-law**

The property proposed for subdivision is currently designated **Manufacturing & Logistics Industrial** according to the *Inland Port Special Planning Area Regulation 49/2016*. This designation supports the development of medium to larger scale industrial development.

The property is currently zoned “**Inland Port Rural Zone**” according to the *Inland Port Special Planning Area Regulation 49/2016* and the proposed zoning is “**I2-Industrial General Zone**.” Given market demands in the area and providing the most flexibility for future uses, the entire area is proposed as “**I2-Industrial General Zone**.” In accordance with the *Inland Port Special Planning Area Regulation 49/2016*, the **Manufacturing & Logistics Industrial** designation supports “**I2-Industrial General Zone**” zoning.

### **Sustainable Development Standards**

In accordance with the *Inland Port Special Planning Area Regulation 49/2016*, all developments must achieve at least five points from one or more sustainable development measures. Because this application only deals with the subdivision and re-zoning of the property and not development of individual lots, it assumes future land owners or developers will meet the sustainable development measures. This would be consistent with how the sustainable development measures have been applied in other developments and would be verified at the time of issuance of a Development Permit and / or Building Permit for individual lots.

### **Servicing (Water and Wastewater)**

All lots will be serviced with water and wastewater in accordance with municipal standards. This will be detailed in the Development Agreement.

### **Drainage**

A drainage plan will be completed for the development upon receipt of Conditional Approval. The drainage plan will be completed in conformity with municipal standards.

There is an existing small retention area that straddles the property line proposed for subdivision with the Rosser owned parcel to the south. The implications of this will be reviewed in further detail once Conditional Approval has been obtained and through the required drainage study. It is understood that if this area cannot be filled, there may need to be some minor changes to the Plan of Subdivision to address any required detention area.



### **Heritage Resources Impact Assessment**

A Heritage Resource Impact Assessment (HRIA) has been initiated for the SW ¼ 34-11-2EPM and a Permit to begin the work has been provided by Heritage Resources. WSP will submit the assessment upon its completion.

Yours sincerely,

**WSP Canada Group Limited**

A handwritten signature in blue ink that reads 'E Blackie'.

Erika Blackie, MCIP, RPP

Planner

Planning, Landscape Architecture and Urban Design

MB/kk

Encl.      Appendix A – Letters of Authorization  
             Appendix B – Status of Titles  
             Appendix C – Subdivision Application and Plan of Subdivision  
             Appendix D – Plan of Re-Zoning

WSP Ref.: 20M-00011-00

# APPENDIX

A

LETTERS OF  
AUTHORIZATION

# Inland Port Special Planning Area

## Letter of Authorization

### What is a letter of authorization?

A letter of authorization is required when the person(s) applying for a planning application is not the registered owner(s) of the subject property. The letter of authorization ensures that the registered owner(s) of

the subject property has knowledge of, and authorizes, the planning application. The registered owner(s) of the property is the name that appears on the Certificate of Title.

TO: Inland Port Special Planning Area  
610-800 Portage Avenue  
Winnipeg, MB R3G 0N4  
or by email at [inlandportspa@gov.mb.ca](mailto:inlandportspa@gov.mb.ca).

RE: Lot 1 Plan 66526 WLTO, in SW 1/4 34-11-2 EPM  
*(civic address or legal description of property)*

I/we hereby give authorization to:

WSP Canada Group Limited on behalf of 10035606 Manitoba Ltd.  
*(Applicant's name)*

to apply for a planning application for the above property.

Registered owner(s) on the current Status of Title or Certificate of Title:

Kelly's Trucking Ltd.  
*(please print name)*

*(signature)*

*(date)*

*(please print name)*

*(signature)*

*(date)*

*(please print name)*

*(signature)*

Aug 26, 2020  
*(date)*

# Inland Port Special Planning Area

## Letter of Authorization

### What is a letter of authorization?

A letter of authorization is required when the person(s) applying for a planning application is not the registered owner(s) of the subject property. The letter of authorization ensures that the registered owner(s) of

the subject property has knowledge of, and authorizes, the planning application. The registered owner(s) of the property is the name that appears on the Certificate of Title.

TO: Inland Port Special Planning Area  
610-800 Portage Avenue  
Winnipeg, MB R3G 0N4  
or by email at [inlandportspa@gov.mb.ca](mailto:inlandportspa@gov.mb.ca).

RE: Lot 2 Plan 66526 WLTO, in SW 1/4 34-11-2 EPM  
(civic address or legal description of property)

I/we hereby give authorization to:

WSP Canada Group Limited  
(Applicant's name)

to apply for a planning application for the above property.

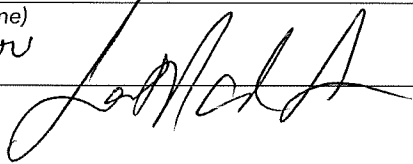
Registered owner(s) on the current Status of Title or Certificate of Title:

10035606 Manitoba Ltd.

(please print name)

SAM SIDHU

(signature)



Aug 26<sup>th</sup> 2020  
(date)

(please print name)

(signature)

(date)

(please print name)

(signature)

(date)

# APPENDIX

## B

### STATUS OF TITLES

## STATUS OF TITLE

Title Number **3058437/1**  
Title Status **Accepted**  
Client File **20M-00011-00**



### 1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

KELLY'S TRUCKING LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND

LOT 1 PLAN 66526 WLTO  
IN SW 1/4 34-11-2 EPM

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

### 2. ACTIVE INSTRUMENTS

Instrument Type: **Plan**  
Registration Number: **5200649/1**  
Instrument Status: **Verified**

Registration Date: 2020-08-14  
From/By: Deposit No. 878/20  
To: Subdivision

Amount:  
Notes: All Sub'd by Plan 67085  
Description: Subdivision Plan 67085

---

Instrument Type: **Request To Issue Title**  
Registration Number: **5200650/1**  
Instrument Status: **Verified**

Registration Date: 2020-08-14  
From/By: Kelly's Trucking Ltd.  
To:

Amount:  
Notes: No notes  
Description: Subdivision Plan 67085

---

**3. ADDRESSES FOR SERVICE**

KELLY'S TRUCKING LTD.  
Box 29, GRP 210 RR2  
Winnipeg MB  
R3C 2E6

**4. TITLE NOTES**

Planning Application No. 4172-2020-7951

**5. LAND TITLES DISTRICT**

Winnipeg

**6. DUPLICATE TITLE INFORMATION**

Duplicate not produced

**7. FROM TITLE NUMBERS**

1495972/1          All

**8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS**

No real property application or grant information

**9. ORIGINATING INSTRUMENTS**

Instrument Type:	<b>Request To Issue Title</b>
Registration Number:	<b>5171263/1</b>

Registration Date:	2020-05-01
From/By:	Kelly's Trucking Ltd.
To:	
Amount:	

---

**10. LAND INDEX**

Lot 1 Plan 66526  
(All Sub'd by Plan 67085)

CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE  
SYSTEM OF TITLE NUMBER 3058437/1

## STATUS OF TITLE

Title Number      **3058441/1**  
Title Status        **Accepted**  
Client File         20M-00011-00



### 1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

10035606 MANITOBA LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE  
FOLLOWING DESCRIBED LAND

LOT 2 PLAN 66526 WLTO  
IN SW 1/4 34-11-2 EPM

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

### 2. ACTIVE INSTRUMENTS

Instrument Type:      **Mortgage**  
Registration Number:   **5200003/1**  
Instrument Status:     **Accepted**

Registration Date:     2020-08-12  
From/By:                10035606 MANITOBA LTD.  
To:                        THE ASSINIBOINE CREDIT UNION LIMITED

Amount:                \$8,000,000.00  
Notes:                  No notes  
Description:            No description

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Instrument Type:      **Caveat**  
Registration Number:   **5200004/1**  
Instrument Status:     **Accepted**

Registration Date:     2020-08-12  
From/By:                THE ASSINIBOINE CREDIT UNION LIMITED  
To:                        Stefan W. Drew as Agent

Amount:                 
Notes:                  No notes  
Description:            Assignment of Rents and Leases

---

**3. ADDRESSES FOR SERVICE**

10035606 MANITOBA LTD.  
96 Mosselle Drive  
Winnipeg MB  
R2P 1M7

**4. TITLE NOTES**

No title notes

**5. LAND TITLES DISTRICT**

Winnipeg

**6. DUPLICATE TITLE INFORMATION**

Duplicate not produced

**7. FROM TITLE NUMBERS**

3058438/1          All

**8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS**

No real property application or grant information

**9. ORIGINATING INSTRUMENTS**

Instrument Type:	<b>Transfer Of Land</b>
Registration Number:	<b>5171264/1</b>
Registration Date:	2020-05-01
From/By:	KELLY'S TRUCKING LTD.
To:	10035606 MANITOBA LTD.
Consideration:	\$800,000.00

---

**10. LAND INDEX**

Lot 2 Plan 66526

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE  
SYSTEM OF TITLE NUMBER 3058441/1**

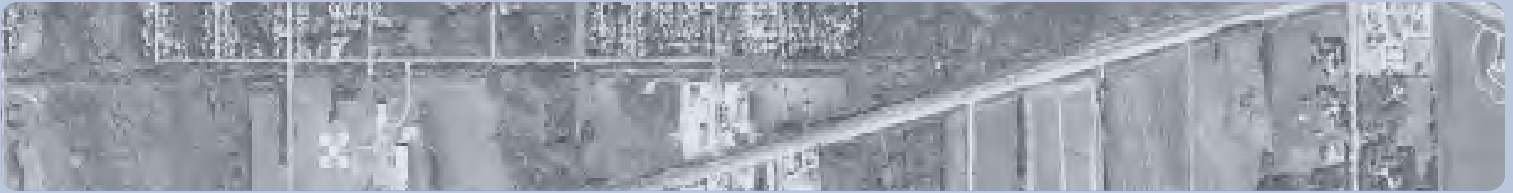
# APPENDIX

## C

### SUBDIVISION APPLICATION AND PLAN OF SUBDIVISION

# Subdivision Application

under The Planning Act C.C.S.M. c. P80



## Before You Start

Meet with a planner at your local Community and Regional Planning office to discuss your proposed subdivision.



## Application Requirements

- ☐ a subdivision application form with all questions answered, and signed by the registered owner and applicant
- ☐ a Subdivision Application Map (submitted as a TIFF image and a hard copy) prepared by a Manitoba land surveyor showing:
  - ties to a minimum of two survey monuments
  - proposed lot(s) with dimensions, area and angles
  - location of all buildings on foundations and fixed structures
  - driveway(s) including the current and proposed access
  - onsite wastewater management systems and distance to proposed lot lines
  - well
  - existing above-ground utilities
  - existing tree line and edge of field
  - major water bodies
  - title search
- ☐ Status of Title(s) for all land to be included in the subdivision from a Manitoba land surveyor. The Status of Title(s) cannot be more than 30 days old.
- ☐ a cheque or money order for \$510 payable to the Minister of Finance

A Subdivision Application Map is a requirement for all subdivision applications under the Subdivision Regulation and it must be prepared by a Manitoba land surveyor. Refer to the *Planning Resource Guide: Subdivision in Manitoba* for more details on application and map requirements.



## Submission

Mail or drop off the completed application form, the required application fee, map, titles, and any supporting documents to your local Community and Regional Planning office.

Your application will be considered incomplete and returned if any of the above requirements outlined in Section B are missing.

**Refund Policy:** The application fee will only be refunded if the application has not been circulated to reviewing agencies.



1 Registered Owner(s)	Applicant
Name(s): _____	Name(s): _____
_____	_____
Address: _____	Address: _____
_____	_____
City/Town/Village: _____	City/Town/Village: _____
Province: _____	Province: _____
Postal Code: _____	Postal Code: _____
Email: _____	Email: _____
Phone (daytime): _____	Phone (daytime): _____
Cell Phone: _____	Cell Phone: _____
	Your File No.: _____

2 Declaration

I, \_\_\_\_\_ hereby certify that I

☐ am the registered owner of the land proposed for subdivision

**OR**

☐ am authorized to act as the registered owner

and I hereby affirm that all statements contained within this application are complete and true, and I make this declaration conscientiously believing it to be true.

Registered Owner(s) signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant signature: *meugankales* Date: \_\_\_\_\_

3 Lawyer Contact Information (if applicable)

Name: \_\_\_\_\_ Firm: \_\_\_\_\_

Address: \_\_\_\_\_ Your File No.: \_\_\_\_\_

City/Town/Village: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

## 4 Land to be Subdivided

Municipality: \_\_\_\_\_ Roll Number: \_\_\_\_\_

Civic Address (if any): \_\_\_\_\_

Lot or Parcel No.: \_\_\_\_\_ Block No.: \_\_\_\_\_ Plan No.: \_\_\_\_\_

Part of ☐ NW ☐ NE 1/4 of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ ☐ East ☐ West  
☐ SW ☐ SE of the Principal Meridian

**OR**

River Lot No.: \_\_\_\_\_ Parish or Settlement: \_\_\_\_\_

## 5 Existing Land Use

a. What is the land currently used for? (check all that apply)

☐ agriculture

i. Is there a livestock operation? ☐ yes ☐ no

Type of livestock: \_\_\_\_\_ Number of animal units or animals: \_\_\_\_\_

Distance to nearest property boundary: \_\_\_\_\_

ii. Is there a manure storage facility? ☐ yes ☐ no

Distance to nearest property boundary: \_\_\_\_\_

☐ commercial

☐ industrial

☐ other (ex: woodland) \_\_\_\_\_

☐ residential (including cottages)

☐ single family

☐ multiple family

A manure storage facility means a structure, earthen storage facility, molehill, tank or other facility for storing or treating manure.

b. Are there existing buildings on this land? ☐ yes ☐ no

**Tip:** Show the location and type of all permanent buildings and onsite wastewater management systems. Show the distances to the closest new property boundary on the surveyor's subdivision application map.

## 6 Proposed Land Use

- a. Is this a multi-phase development? ☐ yes ☐ no

If yes, how many phases? \_\_\_\_\_

- Is this a multi-lot development? ☐ yes ☐ no

If yes, how many lots? \_\_\_\_\_

- b. What is the intended use of the proposed lot(s)? (Check all that apply)

- ☐ agriculture
- ☐ commercial
- ☐ industrial
- ☐ other \_\_\_\_\_
- ☐ residential
  - ☐ single family
  - ☐ multiple family

- c. Are there existing buildings on the proposed lot(s)? ☐ yes ☐ no

- d. Describe the proposed lot(s). (Check all that apply)

- ☐ wooded/treed
- ☐ low/swampy
- ☐ cultivated
- ☐ pasture
- ☐ hilly
- ☐ level/flat
- ☐ near a waterbody (ex: lake, river, creek)
- ☐ other \_\_\_\_\_

- e. Within 1.6 kilometres (1 mile) of the proposed lot(s) is there any of the following?

(Check all that apply)

- ☐ livestock operations

If nearby, what is the type, approximate size and distance? \_\_\_\_\_

- |   |   |
|---|---|
| <input type="checkbox"/> gravel pit or quarry | <input type="checkbox"/> historic site or structure                 |
| <input type="checkbox"/> pipeline             | <input type="checkbox"/> airport                                    |
| <input type="checkbox"/> sewage lagoon        | <input type="checkbox"/> waste disposal ground (active or inactive) |

## 7 Flooding and Drainage

- a. Has any part of this land been flooded? ☐ yes ☐ no ☐ don't know

If yes, describe in more detail. \_\_\_\_\_

\_\_\_\_\_

- b. How will the proposed lot(s) be drained?

- ☐ natural ☐ storm sewer  
☐ ditches ☐ curb and gutter

- c. Is a new private drainage works proposed? ☐ yes ☐ no

- d. Do you have a water rights licence? ☐ yes ☐ no

If yes, date issued: \_\_\_\_\_

The Water Rights Act requires a person to obtain a valid licence to control water or construct, establish, or maintain any water control works. Water control works are defined as any dike, dam, drain, drainage, culvert, etc. that temporarily or permanently alters or may alter the flow or level of water.

## 8 Sewer and Water Supply

Indicate in the table the type of sewage disposal and water supply that is existing for any current structures and proposed for the new lot(s) shown on the sketch attached to your subdivision application.

Sewage Disposal	Existing Lot(s)	Proposed Lot(s)
municipal sewer		
holding tank		
septic field		
ejector		
other (please specify)		

Water Supply	Existing Lot(s)	Proposed Lot(s)
pipel water		
shared well (indicate number of connections)		
individual well		
cistern		
other (please specify)		

For details on water supplies, refer to the *Planning Resource Guide: Subdivision in Manitoba* available online.

## 9 Utilities

Electrical power is: ☐ existing ☐ proposed ☐ not required ☐ not available

Natural gas is: ☐ existing ☐ proposed ☐ not required ☐ not available

Telephone service is: ☐ existing ☐ proposed ☐ not required ☐ not available

Utilities may still require an easement agreement for any existing facilities.

10

## 10 Access

- a. Current access (ex: driveway, lane) to the lot is by (and check all that apply):

- ☐ municipal road  
☐ provincial road # \_\_\_\_\_  
☐ provincial trunk highway # \_\_\_\_\_  
☐ no access

Show existing and proposed driveways on the surveyor's subdivision application map.

- b. Will the lot(s) require a new driveway? ☐ yes ☐ no

If yes, new access to the lot will be by:

- ☐ municipal road
- ☐ provincial road # \_\_\_\_\_
- ☐ provincial trunk highway # \_\_\_\_\_
- ☐ no access

- c. Will the driveway be shared? ☐ yes ☐ no

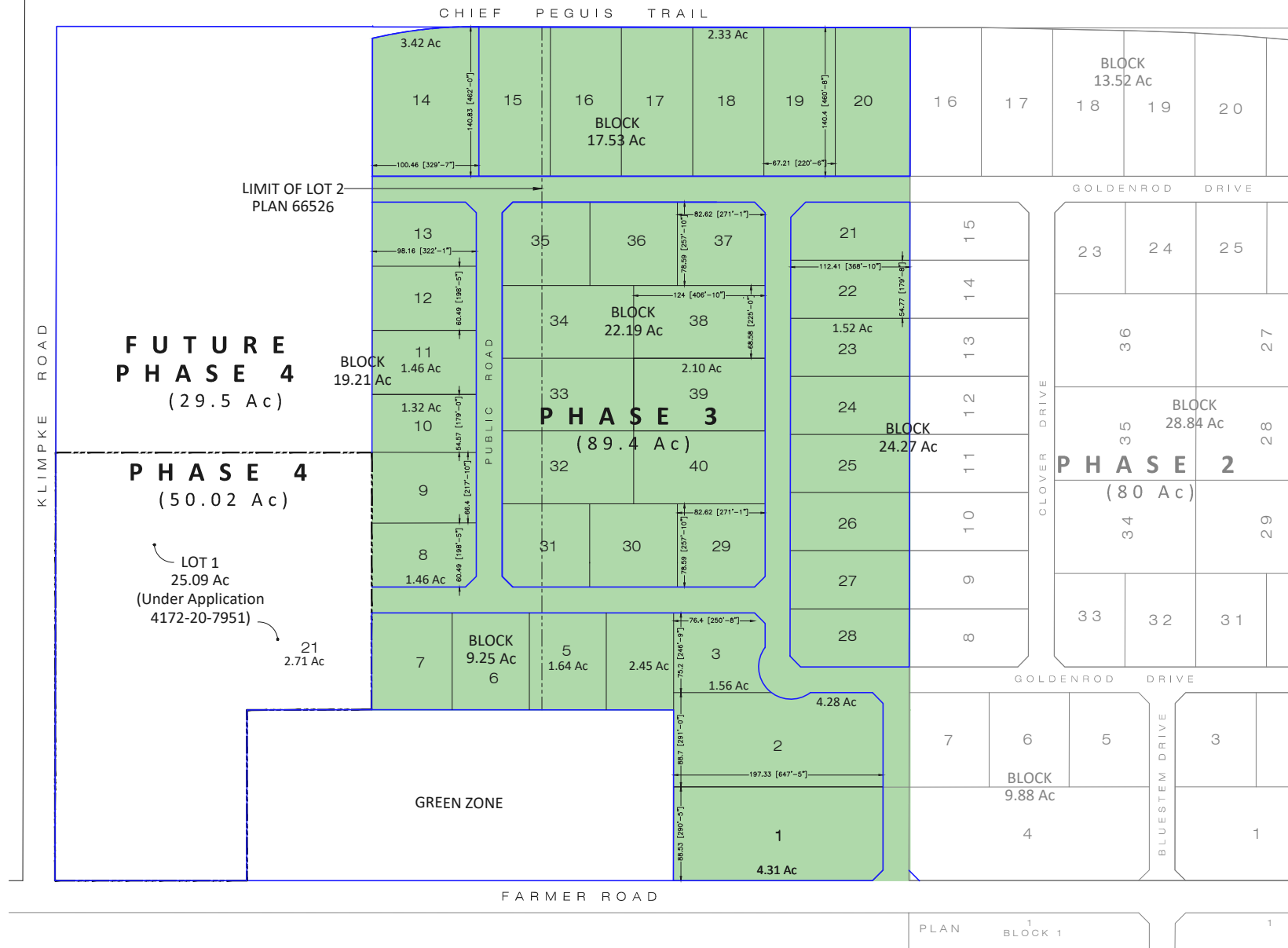
- d. Will a new public road be created? ☐ yes ☐ no

11

11

Indicate the reason for making this application and provide any other information you think may be helpful.

[illegible]



Scale: 1:400 Metric

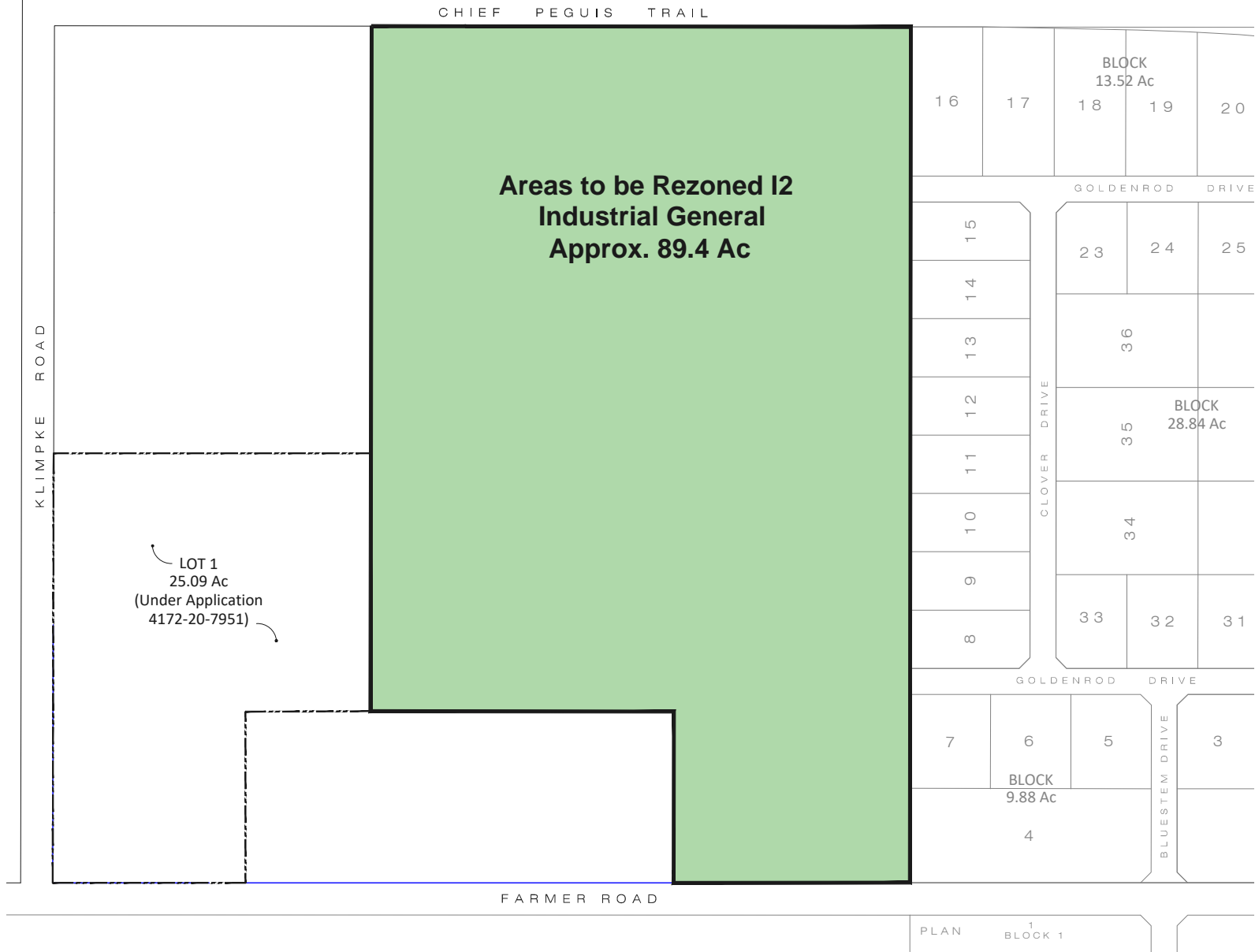


**BROOKPORT BUSINESS PARK**  
**PHASE 3 PLAN OF SUBDIVISION**  
**R.M of Rosser, MB**

# APPENDIX

## D

## PLAN OF RE-ZONING



Scale: 1:400 Metric



**BROOKPORT BUSINESS PARK**  
**PROPOSED SITE DEVELOPMENT REZONING**  
**R.M of Rosser, MB**