

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: MR. DAVID KLASSEN
PROPOSAL NAME: PATERSON GLOBAL FOODS INC.
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: BULK HANDLING -
CROP PROTECTION WAREHOUSE -
CLIENT FILE NO.: 5383.00

OVERVIEW:

On January 7, 2009, Manitoba Conservation received a Proposal dated January 06, 2009, for the construction and operation of a crop protection warehouse and distribution facility to be located adjacent PTH 3, west of the Town of Deloraine. The proponent intends to construct an approximate 40' x 80' warehouse to the requirements of all governmental regulations having jurisdiction, as well as the requirements of Manitoba Conservation and Crop Life Canada required for certification. The proposal states that there will be a 6" curb for containment of any potential spills in the warehouse. The normal hours of operation will be from 8:00 am to 5:00 pm five days a week, with longer hours as required.

No public concerns were received in response to the advertisement of this proposal in the Deloraine Times and Star published on Saturday January 17, 2009. The proposal was placed in the Public Registries at the Millennium Public Library, the Manitoba Eco-Network, the Environment Library (Main), the Lakeland Regional Library and the Rural Municipality of Winchester office. The proposal was distributed to TAC on January 13, 2009, with the closing date for TAC and Public comments on January 16, 2009.

COMMENTS FROM THE PUBLIC:

No public responses were received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Sustainable Resource & Policy Management Branch has reviewed this proposal and have no concerns regarding the proposal.

Pollution Prevention Branch has reviewed the application and addresses the following concern, the proponent indicates that safe operating procedures for the handling, storing and distribution of crop protection products will be set up and that the site will have an emergency response plan. However, no details for either of these are provided with the proposal. It is difficult to know whether they would be adequate for protection of worker safety and health or the environment. Suggest that the proponent be asked to provide details of these procedures and the emergency response plan.

Parks and Natural Areas Branch has reviewed the application and have no comments to offer.

Water Stewardship - concerns include meeting Agrichemical Warehousing Standards including building curbing, secondary site containment with gated culverts preventing potential contaminants entering the municipal sewer system., sampling for contamination, and during construction preventing erosion and implementing sediment control measures.

Disposition:

The concerns are addressed in the draft licence.

Infrastructure & Transportation has reviewed the proposal and has no concerns with the development.

Assiniboine and Brandon Regional Health Authorities concerns include license clauses to address protection of surface and ground water sources; internal and external containment to prevent pollutants or contaminated wastewater leaving the site and entering sewage disposal or municipal ditches; current chemical inventories maintained in designated areas; and an Emergency Response Plan to be made available for review. In addition the RHA also is inquiring as to the location of the nearest residences and to ensure that applicable set-back distances be followed.

Disposition:

The concerns are addressed in the draft license. Inquiry regarding the location of residences with concern to setback distances is provided in Intergovernmental Affairs comments.

Historic Resources Branch has no concern with regard to its potential impact on heritage resources. If significant heritage resources are recorded in association with this development a strategy by the developer to mitigate affects would have to be established.

Intergovernmental Affairs has reviewed the information provided regarding the proposal and can offer the following comments:

1. the site of the proposed development is located near the western boundary of the Town of Deloraine
2. the subject property has frontage along PTH No. 3 and 21 but has vehicle access from Centennial Drive
3. the subject property was designated as Highway Commercial by the Development Plan By-law and zoned “CH” in the local zoning by-law
4. in recognition of the historical pattern of mixed land use development in this part of Deloraine, both commercial and residential zoning was applied to the developed strip of land along the east side of PTH No. 3 and 21

5. the “CH” Highway Commercial Zone classification applied to the subject site provides for a range of commercial type uses including a warehouse for the storage of hazardous chemicals
6. the zoning by-law requires that proponents of a new crop protection warehouse secure any required provincial approvals (i.e. Environment Act licence and Building Permit) prior to local approval from the Town which will include a Conditional Use Order from Council and a Development Permit from administration
7. the subject site is about 68,992 square feet (or 1.6 acres) in size and meets the minimum site requirements of the Zoning By-law
8. based on the supplied site plan, the on-site buildings (i.e. existing building (former vet clinic) and proposed crop protection warehouse) will meet all yard requirements of the Zoning By-law
9. the proposed commercial development will be located in the extreme southwest corner of the Town of Deloraine
10. the site is located about 2500 feet from a senior’s housing complex and about 3000 feet from the local hospital
11. there are three existing dwellings located on large lots about 700 to 1000 feet north of the site
12. higher density residential development within the built-up area of the Town is located about 2300 feet to the east along Renton Avenue
13. there is an automotive garage plus another crop protection warehouse located in another highway commercial area about 1200 to 1900 feet north of the subject site
14. another commercial building is located about 250 feet directly south of the former vet clinic building
15. Town Council is scheduled to hold the Public Hearing for the conditional use application on evening of Feb 10th
16. the CAO indicates that the Town’s Building Inspector has determined that the proposed warehouse is an F2 building requiring a provincial building permit
17. the local Zoning By-law allows the development officer to issue a Development Permit for the proposed crop protection warehouse only when all other provincial and local development requirements have been met
18. while the proposed agro-commercial business is welcomed by farmers and the agricultural industry, approval of the location of a new crop protection warehouse within a community has it’s challenges for municipal councils
19. given the nature of the products to be stored in this new warehouse, any emergency response plan should be shared with all local emergency and fire protection providers.

Canadian Environmental Assessment Agency state that based on their staff survey, application of the *Canadian Environmental Assessment Act* with respect to this proposal is not required.

PUBLIC HEARING:

No public hearing will be conducted.

RECOMMENDATION:

TAC concerns are addressed in the draft licence.
The responsibility for enforcement of the Licence should be assigned to the responsible region.
A draft Environment Act Licence is attached for the Director's consideration.

PREPARED BY:

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February 20, 2009

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