

# The Best of Both Worlds:

## Hybrid Zoning Innovation in Rosser CentrePort

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### Abstract

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Zoning is often thought of as a contributing factor to the sprawling development patterns that dominate the North American landscape. Recently, form-based zoning codes have shifted the purview of zoning from separating incompatible land uses to creating walkable, vibrant communities. While most form-based zoning is aimed at residential or commercial neighbourhoods, large format, auto-centric uses like industrial parks are often left out due to their unwalkable nature. However, recent trends indicate that attitudes towards industrial districts are changing.

Originally created in 2008, CentrePort is Canada's first tri-modal inland port and boasts over 20,000 acres of industrial land primarily in the Rural Municipality of Rosser with a smaller area in the City of Winnipeg. A key piece of Rosser CentrePort's development was the creation of a hybrid zoning by-law which utilizes aspects of both conventional zoning and new urbanist form-based zoning. How can new urbanist concepts –typically those concerned with walkability, pedestrian oriented public space, and place based design controls– be applied to an industrial park? In collaboration with Dave Jopling and Meagan Boles, this case-in-point examines the unique and innovative approach to zoning taken in CentrePort. This research will highlight the elements featured in the CentrePort Zoning By-law, analyze early adoption and implementation, and better understand why a hybrid approach is a key component of this endeavour.

## Introduction

Zoning By-laws typically do not attract a lot of public interest due to their very technical nature. Nothing induces snores quite like lists of permitted and conditional uses, or the heights of accessory structures. That being said, zoning is perhaps the tool most widely used by planning professionals in North America, and one that has an undeniably profound affect on our built environment. Over the last 100 years, conventional or “Euclidean” zoning has been the dominant system of land use regulation in our cities. Despite it’s ubiquity, many authors have identified conventional zoning as a contributing factor of urban sprawl and the social, economic and environmental issues that come with it (Talen, 2013). Because of this, planners are looking for innovative ways to address these complex and far reaching problems, and new approaches to zoning is one way to contribute to a solution.

Form-based codes (FBCs) have making waves since their creation in the 1980s. As their name implies, FBCs focus on the form of development as opposed its use and create a regulatory framework that addresses the relationship between buildings and the public realm, typically based on an urban-to-rural transect. FBCs aim for a mix of residential and commercial uses, placing our daily needs within walking

distance and heightening our sense of place. Up until recently, large format uses, like industrial districts, were often left out of comprehensive FBCs due to their inherent car dependent nature.

Other potential benefits of FBCs, and the driving force behind the Rosser CentrePort Zoning By-law, is setting of clear expectations and development standards. Rather than a by-law that relies on a municipal review and opublic hearing to evaluate, set conditions, and approve a development, a FBC includes the minimum standards for form. This has the effect of providing certainty to developers and more efficient approval processes.

While industrial areas are not typically considered walkable or compatible with other uses, FBCs have the opportunity to improve walkability and compatibility while setting clear expectations and streamlining the approval process. CentrePort features a unique hybrid zoning by-law that marries the best of both zoning systems.

## Background

Originally conceived some 20 years ago, CentrePort was established in 2008 following the adoption of the CentrePort Canada Act. The Act designates roughly 20,000 acres within the Rural Municipality of Rosser and the City of Winnipeg as an inland port and Foreign Trade

Zone (FTZ). Situated at the cross-roads of the TransCanada Highway and the mid-continent (or NASCO) corridor, CentrePort is Canada’s only tri-modal inland port featuring direct access to the Winnipeg James Armstrong Richardson International Airport, three Class I rail carriers, and both national and international trucking routes. Utilizing its central geographic location, FTZ benefits and access to worldwide markets, CentrePort is one of the largest economic opportunities in Manitoba.

In March of 2016, CentrePort was officially adopted under The Planning Act as the Inland Port Special Planning Area (IPSPA). This amendment makes the area of CentrePort within the RM of Rosser into a unique enclave where land use planning and decision making has been separated from the typical municipal framework. As part of the amendment, both the official Secondary



Winnipeg at the heart of North America’s trade routes (centreportcanada.ca)



Sample commercial node (Rosser CentrePort Secondary Plan)

Plan and Zoning By-law were included as a special regulation under The Planning Act. In order to promote a predictable and streamlined development process, all land use decision making, administration, and implementation is made by the Minister of Municipal Government. The regulation also establishes the Special Planning Authority which will serve as a hearings and appeals board and will assist the Minister on all land use planning decisions in the area.

In anticipation of the IPSPA legislation, both a secondary plan by-law and zoning by-law were created together by MMM Group Limited and Placemakers LLC in 2014. From its inception, the CentrePort Zoning By-law

was intended to innovate on what was thought possible for a large scale industrial district. The by-law is envisioned as a zoning framework with embedded design standards to guide all development within the boundaries of CentrePort. The by-law contains both conventional and form-based provisions that govern basic building form, placement of structures, land uses, and related components of the built environment, with predictable physical outcomes and performance-based criteria (Rosser CentrePort Secondary Plan, 2014).

## Unique Elements

CentrePort's zoning by-law accommodates both industrial

and commercial land uses to establish an efficient, inclusive, sustainable, and economical inland port. Where by-law differs from standard zoning found in Manitoba is its hybrid nature, combining both form-based provisions with conventional zoning. The concept of hybrid zoning is not uncommon in North America however there are few examples in existence that combine both styles into one ordinance. Not only is this the first zoning by-law of its kind in Manitoba, but a rare example of form-based elements being applied to an industrial district.

### The Concept

A key philosophy of form-based code is the regulation of development that encourages walkable, human scaled neighbourhoods using the built form. FBCs are also holistic, meaning they address both private and public space with an emphasis on improving the public realm (Parolek, 2008). The challenge for CentrePort was applying form-based provisions to what has typically been considered "unwalkable" or car-oriented development. In terms of scale, industrial development is often much larger than commercial developments; large streets, wide turns, freight, manufacturing all contribute to a built form meant for heavy transport.

All industrial parks require an employee base to function, and employees need services. This

was the opportunity to innovate and transform CentrePort using a hybrid code. The concept assumes a transect based hierarchy where zones are arranged from their highest standards (I1 – Industrial Centre) to the lowest (I3 – Industrial Heavy). Zones with the highest standards are concentrated in nodes providing retail, services, office and accommodation to a growing employee base that surrounds it (Dave Jopling, 2015). These uses are not permitted to locate individually scattered across the area, but rather, must be clustered in a very unique central area.

**Form-based Zones**

Zones within CentrePort include both use tables and bulk standards, but share

specific design requirements ensuring predictable outcomes. Requirements are flexible and become compounded depending on zone type and the street overlay district. As indicated in the Rosser CentrePort Secondary Plan, all roads within CentrePort will fall into one of three street overlays with adjacent development being guided by their associated policies.

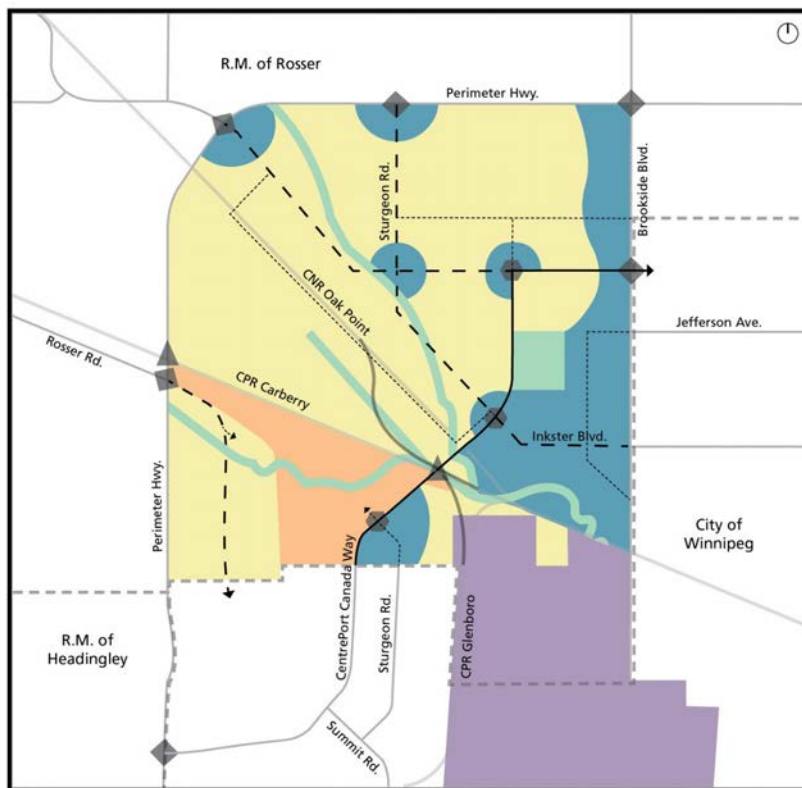
As the zone with the highest standards, land uses within the I1 Industrial Centre Zone are generally oriented towards light industrial and medium scale retail, service, office and accommodation uses with those on the ground floor containing predominantly retail and offices. Buildings can be up to 10

stories, but in general have the smallest footprints. Building envelopes are brought up to or near the sidewalk creating a dense street wall. Streetscapes in the Industrial Centre Zone are intended to be pedestrian friendly, meaning street furniture and trees, landscaping and human scaled crossings. Parking is located to the side or rear of structures, or located on the street.

**Sustainable Development Provisions**

Each development proposal in CentrePort, no matter the zone or overlay, must meet a minimum level of sustainable development measures before a permit will be issued. These measures are assigned a point value, with each proposal requiring at least five points in order to qualify. These include small measures like access to active transportation or being on a walkable street, but also large measures like a certified green building or green roof. These provisions were heavily influenced by MB Hydro in an effort to encourage sustainable design methods while taking advantage of available funding supported by the Province.

Aside from walkable streets, CentrePort also contains an Active Transportation Overlay Zone requiring infrastructure that can support pedestrians, cyclists and public transit, such as sidewalks, multi-use paths, and buffered bike lanes that improve



Land Use and Transportation Network Map (Rosser CentrePort Secondary Plan)

safety, aesthetic appeal and increased ridership. These active transport paths are projected to follow existing ecologically sensitive creeks and drainage corridors, and will connect commercial nodes.

### Streamlined Process

In an effort to streamline the development process, CentrePort contains several improvements on conventional zoning ordinances including reducing and grouping the number of defined uses, removing conditional uses, and creating manuals and guidebooks for improved understanding and readability.

The zoning by-law contains performance standards for nuisances including air pollution, dust, noise, glare or heat, vibration and odorous gases.

## Current Status

CentrePort is still in the early stages of its development with 44 companies having either built or are building new operations and roughly 41 conditionally approved proposal and subdivisions since adopting the official secondary plan and zoning by-law in September of 2015. With the recently announced 700-acre CentrePort Canada Rail Park and over 1,200 acres of truck served industrial lands entering the market, CentrePort is poised to begin delivering on its mission to become Canada's prime gateway for global trade.

Interest in developing commercial nodes has been low, however that is to be expected because the area has not yet established an employee base to support these local services. Several smaller firms have expressed great interest in



Walkable streets (Rosser CentrePort Secondary Plan)

sustainability measures while larger developers have shown to be less interested. Currently, there is one proposal for an I1 – Industrial Centre Zone in its early stage which shows promise. It's expected that more proposals will be made now that the IPSPA legislation has passed, further streamlining the development process. As well, the inclusion of a public registry to inform people of upcoming planning applications should prove to further promote the changes that are occurring in CentrePort.

## Lessons Learned

CentrePort has proven to be a divisive project, both in terms of scale and its innovative planning framework. From the outset, the vision presented by the Province of Manitoba and the work done by MMM

Group and Placemakers to try something new was a difficult one to make. In truth, it would have been much easier to adopt conventional zoning standards for the area, continuing the status quo for industrial areas and playing into what developers are used to. However, the real innovation for this project was pushing back the learning curve and choosing to do something different in an area of land use planning that is typically ignored.

With a total footprint nearly 1/5 the size of Winnipeg, CentrePort is a massive endeavour that has proven challenging to plan for. With such a large area to consider and so much greenfield development, together with servicing and infrastructure challenges, determining an optimal development layout was simply impossible. A noticeable piece missing in this hybrid code is a detailed regulating plan indicating site layout. By adding in flexibility and allowing market demand to dictate how CentrePort develops, it is hoped that the build out will occur in an organic pattern.

One of the biggest challenges facing CentrePort has been acclimating developers and land owners to a completely new style of zoning. Meagan Boles indicated that “because it [Rosser CentrePort Zoning By-law] is outside the norm of what developers are used to, there's going to be some pushback.” (Personal communication, April

12, 2016). For early adopters, the move toward this new form-based style presents itself as a catch-22 where developers may not pursue commercial or retail opportunities until they can be sure of a return on their investment, but won't know if they're successful until a site is completed. In response, developers have the ability to work directly with Manitoba Municipal Government to ensure their proposals are achieving each condition required.

## Conclusion

Ask any planner in Winnipeg what they think of making an industrial park form-based and you'll often see confused faces and hesitant smiles. While it may seem contradictory, the hybrid nature of the CentrePort zoning by-law shows that fundamental change can occur in cities, even in such maligned areas as industrial parks. While it may be too early to evaluate its success, the form-based provisions included for CentrePort are an immediate improvement on the way we think about industrial parks and mixed-use in cities. As business continues to flourish you can expect a different kind of industrial area than we've known before. It remains to be seen how much of CentrePort will be taken on this innovative style but rest assured the option is there for anyone to take it.

## Resources

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Cover Images: Rosser CentrePort Secondary Plan By-law No. 10-14 and [centreportcanada.ca](http://centreportcanada.ca)



Conceptual Service Oriented Industrial Zone (Rosser CentrePort Secondary Plan)