Minute No. 425
Report – Standing Policy Committee on Water and Waste, Riverbank Management and the Environment – May 23, 2018

Item No. 1 Flood Protection and Land Drainage Sewer Works - 2695 Main Street

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment and adopted the following:

1. That the City enter into, execute and deliver an Agreement for Services, pursuant to Section 211 of the City of Winnipeg Charter, with Northgate Trailer Park Ltd. on the terms set out in the attached Letter of Understanding and to fulfill all the requirements outlined in the Letter of Understanding, and such other agreements as are determined necessary by the Director of Legal Services and City Solicitor to implement the intent of the foregoing (the "Ancillary Agreements").

2. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Agreement for Services and the Ancillary Agreements in accordance with this report and such other terms and conditions deemed necessary by the Director of Legal Services and City Solicitor to protect the interests of the City.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

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DECISION MAKING HISTORY:

Moved by Councillor Mayes,

That the recommendation of the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment be adopted.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 6, 2018, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 23, 2018, the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment concurred in the recommendation of the Winnipeg Public and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: **PROPOSED AGREEMENT FOR SERVICES - FLOOD PROTECTION AND LAND DRAINAGE SEWER WORKS - 2695 MAIN STREET**

Critical Path: **The Standing Policy Committee on Water and Waste, Riverbank Management and the Environment - Executive Policy Committee - Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
G. K. Patton, P. Eng., Manager of Engineering Services	M. L. Geer, CPA, CA, Director, Water and Waste Department	N/A	D. McNeil

EXECUTIVE SUMMARY

The landowner, Northgate Trailer Park Ltd., wishes to expand the mobile home park at 2695 Main Street. Developing the land in this manner requires the construction and installation of a new primary dike and associated works, along with land drainage sewer modifications, in order to ensure appropriate flood protection.

An Agreement for Services with the landowner is required to allow the landowner to proceed with undertaking the flood protection and land drainage sewer works as part of developing the property.

RECOMMENDATIONS

1. That the City enter into, execute and deliver an Agreement for Services, pursuant to Section 211 of the City of Winnipeg Charter, with Northgate Trailer Park Ltd. on the terms set out in the attached Letter of Understanding and to fulfill all the requirements outlined in the Letter of Understanding, and such other agreements as are determined necessary by the Director of Legal Services and City Solicitor to implement the intent of the foregoing (the “Ancillary Agreements”).

2. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Agreement for Services and the Ancillary Agreements in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

3. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

The proposed Agreement for Services requires City Council approval.

IMPLICATIONS OF THE RECOMMENDATIONS

Concurrence with the recommendations will enable servicing conditions to be applied to the development of the property located at 2695 Main Street.

HISTORY / DISCUSSION

In May 2017, the Water and Waste Department received a development permit for works associated with a proposed mobile home park expansion for the property located at 2695 Main Street as identified on Misc. Plan No. 15293/2, included as Schedule “A” in Appendix A. During the permit review process, the Water and Waste Department and Northgate Trailer Park Ltd. determined that a primary dike extension and associated works were required to be constructed, along with modifications to the land drainage sewer system (“FP & LDS Works”), to ensure that the proposed development would have adequate flood protection for the current and any future phase of expansion.

The City determined that a rezoning or subdivision application was not required for the extent of mobile home park expansion that had been proposed. Therefore, the appropriate mechanism for undertaking the FP & LDS Works is for the City and Northgate Trailer Park Ltd. to enter into an agreement under Section 211 of the City of Winnipeg Charter for Northgate Trailer Park Ltd. to undertake the FP & LDS Works. Section 211 permits the City to enter into agreements with any person to provide services in the City.

In March 2018, the City and Northgate Trailer Park Ltd. signed a Letter of Understanding (LOU), attached as Appendix A. The purpose of this LOU was to outline the common understanding of the City and Northgate Trailer Park Ltd. regarding Northgate Trailer Park Ltd.’s obligation to undertake the FP & LDS Works to support the development proposal while ensuring appropriate flood protection is provided.

Northgate Trailer Park Ltd. will be responsible for all costs associated with undertaking the FP & LDS Works, including the cost of engineering services. After completion of a warranty period, aside from day-to-day maintenance by the owner, the City will be responsible for the primary dike.

Before Northgate Trailer Park Ltd. (or Northgate Trailer Park Ltd.’s contractor) can commence the FP & LDS Works in order to develop the Land as proposed, Council approval of the proposed Agreement for Services is necessary.

FINANCIAL IMPACT

Financial Impact Statement **Date:** April 27, 2018

Project Name:
PROPOSED AGREEMENT FOR SERVICES - FLOOD PROTECTION AND LAND DRAINAGE SEWER WORKS - 2695 MAIN STREET

COMMENTS:
There is no financial impact associated with these recommendations.

"Original signed by L. Szkwarek, CPA, CGA"
Lucy Szkwarek, CPA, CGA
Manager of Finance & Administration

CONSULTATION

In preparing this report there was consultation with:

Legal Services Department (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

OurWinnipeg Reference:

01-1a OurWinnipeg's Approach to City Building

Direction 3: Promote Compact Urban Form and Manage the Extension of Municipal Services for New Growth

SUBMITTED BY

Department: Water and Waste
Division: Engineering Services
Prepared by: M. Gajda, P. Eng., Services Development Engineer
Date: April 27, 2018
File No.: 020-06-02-07-00

ATTACHMENTS:
Appendix A – Letter of Understanding