Minutes – Council – January 30, 2025

Minute No. 137
Report – Standing Policy Committee on Property and Development – January 13, 2025

Item No. 16 **Amendment to Council Conditions for the Rezoning of Land Located at the 101 De Vos Road Parcel 7 Plan 10450 WLTO in RL 101 to 103 Parish of St Norbert**
(Waverley West Ward)
File DAZ 210/2024

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the following amendment to the developer obligations under File DAZ 210/2024 be approved:

   A. Delete the clause titled De Vos Road in its entirety from the Report of the Administrative Coordinating Group dated August 13, 2024 and replace with the following:

   "De Vos Road

   The Developer shall prepay its share of the cost of perpetual oiling and gravelling of De Vos Road for the full length of the Planned Area abutting De Vos Road, as determined by the Director of Public Works."

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

Report – Standing Policy Committee on Property and Development – January 13, 2025

DECISION MAKING HISTORY:

Moved by Councillor Duncan,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

Councillor Orlikow was absent for the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2025, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 13, 2025, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 7, 2025, the Assiniboia Community Committee did not concur in the recommendation of the Winnipeg Public Service, and recommended to the Standing Policy Committee on Property and Development:

1. That the following amendment to the developer obligations under File DAZ 210/2024 be approved:

    A. Delete the clause titled <u>De Vos Road</u> in its entirety from the Report of the Administrative Coordinating Group dated August 13, 2024 and replace with the following:

    "<u>De Vos Road</u>

The Developer shall prepay its share of the cost of perpetual oiling and gravelling of De Vos Road for the full length of the Planned Area abutting De Vos Road, as determined by the Director of Public Works."

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

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

John Scott Wintrup, J. Wintrup Consulting Ltd., submitted a communication with respect to the matter.

ADMINISTRATIVE REPORT

Title: Amendment to Council Conditions for the Rezoning of land located at the 101 De Vos Road Parcel 7 Plan 10450 WLTO in RL 101 to 103 Parish of St Norbert File No. DAZ 210/2024 – 101 De Vos Road

Critical Path: Assiniboia Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
A. Savage	N/A	N/A	N/A

EXECUTIVE SUMMARY

John Scott Wintrup Planning & Development (the Applicant) is requesting an amendment to the Council Conditions for the rezoning of land located at the northwest corner 101 De Vos Road under File No. DAZ 210/2024.

The proposed amendment requests to remove the obligations to pay for the development's share of future roadway improvements in De Vos Road abutting the development.

The Public Service does not support this request.

RECOMMENDATIONS

1. That the application to amend the developer obligations under DAZ 210/2024 as outlined in this report be rejected.

REASON FOR THE REPORT

Council approval is required for to amend original conditions imposed under a subdivision and rezoning application.

IMPLICATIONS OF THE RECOMMENDATIONS

Concurrence with this recommendation will enable the approved servicing conditions to be applied to this application via a Servicing Agreement and allow the Developer to proceed with the rezoning of the land consistent with Our Winnipeg Policies.

HISTORY/DISCUSSION

On September 26, 2024, Council adopted Item No. 12 of the Report of the Executive Policy Committee dated September 13, 2024, which recommended approval of a rezoning the subject land to a “M1” Manufacturing Light District subject to conditions.

Pursuant to the above-referenced approval, the Developer was to enter into a Servicing Agreement with the City of Winnipeg outlining the municipal infrastructure obligation required to develop the property. These conditions are attached as Schedule “B”, The Report of The Administrative Co-Ordinating Group dated August 13, 2024.

The approved condition aligns with the City standard for a local industrial road and is consistent with payment from a previous development to reconstruct the road in concrete with curb and gutter. Additionally, the cul-de-sac pavement at the west end of De Vos Road was constructed in concrete, and consistent with OurWinnipeg, a full range of services is required.

The Applicant has submitted correspondence requesting a formal amendment to the current condition, seeking to remove their obligation of paying for their share of the roadway infrastructure. However, the Public Services recommendation remains that the Developer is responsible for paying their portion of future services, in line with the Development Agreement Parameters and OurWinnipeg.

De Vos Road serves land uses with heavy vehicle traffic, and the proposed development is expected to increase the number of trucks using the road. Upgrading De Vos Road to an urban standard is desirable in the future. Since De Vos Road is classified as a local industrial road, the responsibility for such upgrades falls to Developers as part of their development applications.

Gravel roads require additional maintenance and dust control. Gravel can track onto adjoining streets, resulting in higher street cleaning costs and more frequent maintenance. Additionally, gravel material may enter the land drainage sewer system, further increasing maintenance needs. Other reasons for not supporting gravel surfaces include preventing injuries or property damage caused by road debris, ensuring visibility of pavement markings, improving air quality by reducing dust, preventing sewer and catch basin blockages, and enhancing the overall appearance of the community.

As redevelopment progresses along De Vos Road, the intention is to continue requiring that the road be built to City standards as a local industrial road, either through construction or by collecting fees.

CONSULTATION

This Report has been prepared in consultation with:

Public Works Department

OURWINNIPEG POLICY ALIGNMENT

This report aligns with OurWinnipeg 2045, Policy 6.36 Full Range of Municipal Services, by enabling the installation of the municipal services.

Objective: Facilitate planned and orderly development.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Climate Action Plan and its goals and objectives, and it was determined that it is not applicable to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS) and its Goals and Objectives, and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: K. Kowalyk, Land Development Engineer
Date: December 19, 2024
File No: DAZ 210/2024

Attachments: Appendix “A” – Letter Requesting Amendment from Applicant
Appendix “B” – Report of The Administrative Co-Ordinating Group dated August 13, 2024.