Agenda – Executive Policy Committee – March 18, 2025

Report – Standing Policy Committee on Property and Development – March 6, 2025

Item No. 5 Amendment to Council Conditions for the Subdivision and Rezoning of Land Located at the Northwest Corner of Inkster Boulevard and King Edward Street
(Old Kildonan Ward)
File No. DASZ 44/2016

STANDING COMMITTEE RECOMMENDATION:

On March 6, 2025, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the following to Council:

1. That Paragraph 6 in Section C of Schedule B of Council Approval for pursuant to Development Application DASZ 44/2016 dated March 22, 2017, be amended as follows:

   A. Delete Paragraph 6. (b)

   B. Add the following new Clause 6. (b):

      "(b) that any private approaches that are constructed on Inkster Boulevard be removed, at no expense to the City, if a fuel station is not constructed on the subject site within 2 years of the approach approval, all as determined by and to the satisfaction of the Director of Public Works."

   C. In Schedule B, add a new Condition 12 under Section C- Servicing Requirements as follows:

      "12) Boulevards

         a) The Developer shall, at no expense to the City, sod, and plant trees on, Inkster Boulevard fronting on the Planned Area, all in accordance with City specifications and guidelines and, where required, with concept plans prepared by the Developer and submitted to, and approved by, the Director of Public Works.

         b) The Developer shall, at no expense to the City, maintain the sod for a period of one year and the trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

Report – Standing Policy Committee on Property and Development – March 6, 2025

STANDING COMMITTEE RECOMMENDATION (continued):

c) The cost of landscaping (trees and sod) the boulevard shall be credited towards the Developer's share of the regional street charges under Paragraph 5.c. above, as determined by and to the satisfaction of the Director of Public Works."

2. That the City enter into, execute and deliver an agreement, as amended, in accordance with recommendation 1 (the "Servicing Agreement"), and such other agreements determined by the City Solicitor/Director of Legal Services to be necessary to implement the intent of the foregoing (the "Ancillary Agreements").

3. That authority be delegated to the Director of Planning, Property and Development to negotiate and approve the Servicing Agreement 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.

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

Agenda – Executive Policy Committee – March 18, 2025

Report – Standing Policy Committee on Property and Development – March 6, 2025

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On March 6, 2025, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 25, 2025, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Add the following new Recommendation 1.C.:

  "C. In Schedule B, add a new condition 12 under Section C- Servicing Requirements as follows:

    "12) Boulevards

      a) The Developer shall, at no expense to the City, sod, and plant trees on, Inkster Boulevard fronting on the Planned Area, all in accordance with City specifications and guidelines and, where required, with concept plans prepared by the Developer and submitted to, and approved by, the Director of Public Works.

      b) The Developer shall, at no expense to the City, maintain the sod for a period of one year and the trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

      c) The cost of landscaping (trees and sod) the boulevard shall be credited towards the Developer's share of the regional street charges under Paragraph 5.c. above, as determined by and to the satisfaction of the Director of Public Works."

and forwarded the matter to the Standing Policy Committee on Property and Development.

Report – Standing Policy Committee on Property and Development – March 6, 2025

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

On October 29, 2024, the Lord Selkirk-West Kildonan Community Committee laid the matter over to its meeting on January 28, 2025.

On September 5, 2024, the Lord Selkirk-West Kildonan Community Committee laid the matter over to its meeting on October 29, 2024.

John Scott Wintrup submitted a communication with respect to the matter.

ADMINISTRATIVE REPORT

Title: Amendment to Council Conditions for the Subdivision and Rezoning of land located at the Northwest Corner of Inkster Boulevard and King Edward Street File No. DASZ 44/2016 – Northwest Corner of Inkster Boulevard and King Edward Street

Critical Path: Lord Selkirk - West Kildonan 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 subdivision and rezoning of land located at the northwest corner King Edward Street and Inkster Street under File No. DASZ 44/2016.

The proposed amendment requests to revise the obligations to construct the proposed roadway improvements in Inkster Boulevard and King Edward Street abutting the development in lieu of paying their share towards the roadway improvements.

The Public Service does not support this request. However, on February 14, 2025 the Standing Policy Committee on Public Works approved an approach for this development contingent on the development agreement containing an amendment to stipulated the approach would be removed if not fuel station is constructed.

RECOMMENDATIONS

1. That Paragraph 6 in Section C of Schedule B of Council Approval for pursuant to Development Application DASZ 44/2016 dated March 22, 2017, be amended as follows:

   A. Delete Paragraph 6. (b)

   B. Add the following new Clause 6.(b):

      "(b) that any private approaches that are constructed on Inkster Boulevard be removed, at no expense to the City, if a fuel station is not constructed on the subject site within 2 years of the approach approval, all as determined by and to the satisfaction of the Director of Public

Works."

2. That the City enter into, execute and deliver an agreement, as amended, in accordance with recommendation 1 (the "Servicing Agreement"), and such other agreements determined by the City Solicitor/Director of Legal Services to be necessary to implement the intent of the foregoing (the "Ancillary Agreements").
3. That authority be delegated to the Director of Planning, Property and Development to negotiate and approve the Servicing Agreement 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.

4. 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

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.

HISTORY/DISCUSSION

On March 22, 2017, Council adopted Item No. 5 of the Report of the Executive Policy Committee dated March 8, 2017 which recommended approval of a subdivision and rezoning to a "C2 PDO-2 Airport Vicinity" Commercial Community District under Winnipeg Zoning By-Law 200/2006.

Pursuant to the above-referenced approval, the Developer was to enter into a Development Agreement with the City of Winnipeg outlining the municipal infrastructure required to develop the property. These conditions are attached as Schedule "B", The Report of The Administrative Co-Ordinating Group dated December 14, 2016.

Correspondence was received from the Applicant to consider a formal request to amend three of the conditions from their current requirement of paying the share to constructing the infrastructure. The Public Service does not fully comprehend the request as a large portion of the services the Applicant would like to build are already constructed. The Applicant has been unreceptive to meeting with the Public Service to discuss the logistics of the proposed amendment.

Inkster Boulevard Regional Street Charges

The Developer shall, pay to the City in cash, on demand, its share of the cost of the following services installed in Inkster Boulevard along the full length of the Planned Area,

abutting the north side of Inkster Boulevard:

a) 4.0m wide by 200mm thick Portland cement concrete lane of pavement and all related works;
b) street lighting in the north boulevard; and
c) landscaping in the north boulevard;

all as determined by and to the satisfaction of the Director of Public Works.

The requested amendment to this clause would impose an obligation on the Developer to construct the required works rather than require that the Developer pay its share of the cost of the works. The Public Service does not support this amendment as the works are currently existing. The improvements to Inkster Boulevard were completed in 2012, before the 2016 rezoning application, and there are no further works planned at this time, so there is nothing for the Developer to install.

Traffic Control Signal

The Developer shall, at no expense to the City, pay to the City, in cash, on demand, 25% of the costs associated with the installation of traffic control signals and all related works including, but not limited to, pedestrian and vehicular actuation and interconnection to adjacent traffic-control signals, countdown and audible pedestrian signals at the intersection of Inkster Boulevard and King Edward Street and all related works, all as determined by the Director of Public Works.

The requested amendment to this clause would impose an obligation on the Developer to construct the required works rather than require that the Developer pay its share of the cost of the works. The Public Service does not support this amendment as the works are currently existing. The traffic control signals at Inkster Boulevard and King Edward Street are in place and have been there since before the Inkster improvements. Additionally, the Public Works Department is the only entity responsible for installing traffic control signals in Winnipeg.

King Edward Street

The Developer shall, pay to the City in cash, on demand, its share of the cost of the following services to be installed/has been installed in King Edward Street along the full length of the subject property abutting the west side of King Edward Street:

a) a 8.0m wide by 200mm thick Portland cement concrete pavement and all related works;
b) a 3.5m wide asphaltic concrete multi-use pathway in the west boulevard;
c) street lighting in the west boulevard;
d) landscaping in the west boulevard;

all as determined by and to the satisfaction of the Director of Public Works.

The requested amendment to this clause would impose an obligation on the Developer to construct the required works rather than require that the Developer pay its share of the cost of the works. The Public Service does not support this amendment as the works are partially completed and any further improvements made by the Applicant at this time would likely involve a large amount of throwaway work, meaning that much of it would need to be removed or redone when the full project moves forward along the entire length from Inkster Boulevard to Jefferson Avenue. In addition, the Public Service has submitted a business case for a future improvement on King Edward Street to urbanize and divide the road with a median. However,

there is currently no capital funding available to contribute towards constructing improvements on King Edward Street along the subject property currently. In addition, the improvements proposed in the proposed amendment will not be valuable to the City in the interim as it will lack continuity to adjacent intersections and development north of the subject property.

Furthermore, City records show that the Planned Area and the land to the west are owned by the same person or entity. This means a cross-access agreement could be made, allowing both properties to share an entrance to Inkster Boulevard. This is similar to the joint servicing agreement required for land drainage servicing for both properties. This shared access would ensure safe and properly spaced entry points, away from the Inkster Boulevard and King Edward Street intersection. The Public Service has prepared a conceptual design for access to the subject site via a cross access agreement which is demonstrated in Schedule 'D'. In this configuration, the access from Inkster Boulevard can be constructed far enough west from King Edward Street to permit the construction of an acceleration lane of appropriate length. This is the recommended alternative by the Public Service.

Standing Policy Committee on Public Works, on February 14, 2025, approved an approach (Schedule C) on the north side of Inkster Boulevard subject to the following conditions:

A. *That a fuel station is constructed on the subject site; the approach approval would be released as part of the development permit of the fuel station.*

B. *That the approach be removed at no expense to the C*

And

That the development agreement is amended to stipulate that the private approach be removed at no expense to the City if a fuel station is not constructed on the subject site within 2 years of the approach approval, all as determined by and to the satisfaction of the Director of Public Works.

It is therefore recommended to accommodate the amendment at this time.

CONSULTATION

This Report has been prepared in consultation with:

Public Works Department

Legal Services (as to legal issues)

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: August 14, 2024- revised February 18, 2025
File No: DASZ 44/2016

Attachments: Appendix “A” – Letter Requesting Amendment from Applicant
Appendix “B” – Report of The Administrative Co-Ordinating Group dated December 14, 2016
Appendix “C” – Minutes Standing Policy Committee on Public Works – February 14, 2025, Item No. 5