Agenda – Executive Policy Committee – March 18, 2025

Report – Standing Policy Committee on Water, Waste and Environment – March 10, 2025

Item No. 4 Proposed Agreement for Services – Land Drainage Works – 828 St. Mary's Road

STANDING COMMITTEE RECOMMENDATION:

On March 10, 2025, the Standing Policy Committee on Water, Waste and Environment concurred in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That the Proposed Terms and Conditions for an Agreement for Services, attached hereto as Schedule A, in favour of 14421302 Canada Inc., to construct land drainage works, be approved.

2. That the City enter into, execute and deliver an Agreement for Services, pursuant to Section 211 of the City of Winnipeg Charter, with 14421302 Canada Inc., in accordance with the terms set out in the attached Proposed Terms and Conditions document (Schedule "A"), and to fulfill all the requirements outlined in the Proposed Terms and Conditions document, 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").

3. 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.

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 Water, Waste and Environment – March 10, 2025

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On March 10, 2025, the Standing Policy Committee on Water, Waste and Environment concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Proposed Agreement for Services – Land Drainage Works – 828 ST. Mary's Road

Critical Path: Standing Policy Committee on Water, Waste and Environment – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
C. D. Wiebe, P. Eng., CAMP, Manager of Engineering Services	Tim W. Shanks, M. Eng., P. Eng., Director of Water and Waste Department	T. Graham	S. Armbruster, Interim CAO

EXECUTIVE SUMMARY

The landowner of 828 St. Mary's Road (the "Land"), 14421302 Canada Inc., wishes to construct a mixed-use building. Developing the Land in this manner requires the construction and installation of land drainage works, routing a portion of stormwater runoff away from the combined sewer system, to ensure compliance with Environment Act Licence No. 3042.

An Agreement for Services with the landowner is required to define and apply the obligations related to undertaking the land drainage works.

RECOMMENDATIONS

1. That the Proposed Terms and Conditions for an Agreement for Services, attached hereto as Schedule A, in favour of 14421302 Canada Inc., to construct land drainage works, be approved.

2. That the City enter into, execute and deliver an Agreement for Services, pursuant to Section 211 of the City of Winnipeg Charter, with 14421302 Canada Inc., in accordance with the terms set out in the attached Proposed Terms and Conditions document (Schedule "A"), and to fulfill all the requirements outlined in the Proposed Terms and Conditions document, 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").

3. 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.

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

Entering into an Agreement for Services requires Council approval.

IMPLICATIONS OF THE RECOMMENDATIONS

Concurrence with the recommendations will enable municipal servicing conditions to be applied to the development of the property located at 828 St. Mary's Road. 14421302 Canada Inc. is responsible for all costs associated with undertaking the land drainage works.

HISTORY/DISCUSSION

The land at 828 St. Mary's Road (the "Land") is serviced by the City's combined sewer system. The combined sewer system and land serviced by the combined sewer network are subject to Environment Act Licence (EAL) No. 3042. An overview of this licence is in the administrative report attached to Minute No. 145 of the December 17, 2020, Council Minutes.

In September 2024, the Water and Waste Department (WWD) received a development permit application for a proposed mixed-use development on the Land. WWD staff identified that the proposed development would increase flows to the combined sewer system and did not comply with EAL No. 3042. To achieve compliance, the developer's engineering consultant proposed to extend the land drainage sewer on Fernwood Avenue and re-connect the existing catch basins from the combined sewer in Fernwood Avenue to the extended land drainage sewer (the "LD Works"). WWD reviewed and concurs the proposed works adequately offset the increased wastewater discharge to the combined sewer system, ensuring licence compliance.

To undertake the LD Works, the City and 14421302 Canada Inc. must enter into an agreement, under Section 211 of the City of Winnipeg Charter, to apply important obligations related to undertaking the LD Works. Section 211 permits the City to enter into agreements with any person to provide services in the City.

In December 2024, 14421302 Canada Inc. agreed to the Proposed Terms and Conditions (the "TCs") related to the LD Works, which are attached as Schedule "A" to this report. The purpose of the TCs is to outline the common understanding of the City and 14421302 Canada Inc. regarding 14421302 Canada Inc.'s obligations in undertaking the LD Works.

14421302 Canada Inc. is responsible for all costs associated with undertaking the LD Works, including the cost of engineering services. After completion of a warranty period, the City will be responsible for the land drainage infrastructure.

FINANCIAL IMPACT

Financial Impact Statement **Date:** 29-Jan-25

Project Name:
PROPOSED AGREEMENT FOR SERVICES – LAND DRAINAGE WORKS – 828 ST. MARY'S RD.

COMMENTS:

There is no financial impact associated with these recommendations.
14421302 Canada Inc. is responsible for all costs associated with undertaking the land drainage servicing works.

Setha Phanlouvong for L. Szkwarek
Lucy Szkwarek, CPA, CGA
Manager of Finance and Administration

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services Department (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

This report aligns with OurWinnipeg 2045, Policy 2.17 Regional Water Resource Management, by protecting local and regional watershed resources from the negative impacts of development, flooding, and pollution.

Objective: Protect and value ecosystems as essential components to quality of life.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

This report aligns with the Winnipeg Climate Action Plan through Strategic Opportunity #4 Facilitate Compact, Complete Development and Increase Density.

Key Direction:

4.1 Increase Strategic Infill Development that Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service

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: Water and Waste
Division: Engineering Services
Prepared by: Robert Glowacki, P. Eng.
Date: February 3, 2025
File No.: 020-06-02-07-00

ATTACHMENTS:

Schedule A: Proposed Terms and Conditions (the “TCs”)