Minutes – Executive Policy Committee – March 18, 2025

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

Item No. 4 Amendment to Development Agreement AG 6/18 – 1986 St. Mary's Road (Previously Normand Avenue, West of St. Mary's Road) (St. Norbert - Seine River Ward) File DASZ 6/2018

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That Clause 1 in Section 1 of Schedule C of Servicing Agreement No. AG 6/18 dated December 13, 2018 (the "Servicing Agreement"), entered into pursuant to Development Application No. DASZ 6/2018, be amended as follows:

   A. Re-number Clause 1 as Clause 1. (a)

   B. Add the following new Clause 1. (b):

      "(b) The Developer shall, at no expense to the City, construct and install wastewater sewer in St. Mary's Road to serve the Planned Area and adjacent lands as determined and to the satisfaction of the Director of Water and Waste."

2. That the City enter into, execute and deliver an agreement to amend the Servicing Agreement in accordance with recommendation 1 (the "Amending 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 Amending 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.

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DECISION MAKING HISTORY:

Moved by Councillor Duncan,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

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

COMMUNITY COMMITTEE RECOMMENDATION:

On February 21, 2025, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

ADMINISTRATIVE REPORT

Title: Amendment to Development Agreement AG 6/18 – 1986 St. Mary's Road (previously Normand Avenue, West of St. Mary's Road)

Critical Path: Riel 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

10032862 MB LTD (the Developer) is requesting an amendment to Development Agreement AG 6/18, pertaining to the site commonly known as Parkview Terrance.

The proposed amendment to Section 1 of Schedule "C" seeks to allow the upgrade of the wastewater sewer in St. Mary's Road.

The Public Service has no objection to this request.

RECOMMENDATIONS

1. That Clause 1 in Section 1 of Schedule C of Servicing Agreement No. AG 6/18 dated December 13, 2018 (the "Servicing Agreement"), entered into pursuant to Development Application No. DASZ 6/2018, be amended as follows:

   A. re-number the Clause 1 as Clause 1.(a)

   B. Add the following new Clause 1.(b):

      "(b) The Developer shall, at no expense to the City, construct and install wastewater sewer in St. Mary's Road to serve the Planned Area and adjacent lands as determined and to the satisfaction of the Director of Water and Waste."

2. That the City enter into, execute and deliver an agreement to amend the Servicing Agreement in accordance with recommendation 1 (the "Amending 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 Amending 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 a Development Agreement Amendment.

IMPLICATIONS OF THE RECOMMENDATIONS

If the Recommendation of the Winnipeg Public Service is concurred in, the proposed amendment will enable the Developer to upgrade wastewater services in St. Mary's Road to the benefit of both the City and the development.

HISTORY/DISCUSSION

On July 18, 2019 Council enacted By-law No. 42/2019, which approved the subdivision and rezoning of 1982 and 1984 St. Mary's Road, and 2, 44, 66, 88 and 108 Normand Avenue under file no. DASZ 6/18. The approximately 8.08 acre property, were rezoned and subdivided into 1 lot and three (3) public reserves.

Under DASSF 553/2020, the single lot was further subdivided into seven (7) separate titles to provide additional flexibility for the developer.

Pursuant to the above-referenced approval, 10032862 MB LTD (the Developer) entered into Development Agreement AG 6/18 with the City of Winnipeg outlining the municipal infrastructure required to develop the property. This agreement does not include a clause for upgrades to existing wastewater infrastructure.

Correspondence was received from the Developer to consider a formal request to amend the development agreement to allow for the upgrade of the existing wastewater sewer in St. Mary's Road.

The Public Service has no objection to the proposed amendment.

FINANCIAL IMPACT

N/A

CONSULTATION

Water and Waste Department

OUR WINNIPEG 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

Ensure New Areas of Growth are Designed According to the Principles of Complete Communities.

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: January 31, 2025
File No: AG 6/18 c/r DASZ 6/2018

Attachments: Appendix “A” – DASSF 553/2020 Planned Area
Appendix “B” – Developer’s letter request