Schedule "A"

PROPOSED TERMS AND CONDITIONS
For Construction of Wastewater Sewer for Development of 868 Regent Avenue W

WHEREAS 10191779 Manitoba Inc. (the "Developer") is the registered owner of land in the City of Winnipeg, in Manitoba, located at 868 Regent Avenue W as shown on the plan attached hereto as Schedule "B", and legally described as follows:

PARCEL A PLAN 70690 WLTO
IN OTM LOT 94A PARISH OF KILDONAN

Title No. 3308029/1

(the "Land");

AND WHEREAS the Developer wishes to develop the Land by constructing a car wash;

AND WHEREAS The City of Winnipeg (the "City") and the Developer have agreed/determined that the above-mentioned development will require but not be limited to the construction and installation of wastewater sewer upgrades in accordance with the accepted servicing drawings shown in Schedule "C", all to the satisfaction of the Director of Water and Waste (hereinafter the "WWS Works");

NOW THEREFORE the City will, subject to Council approval, permit the Developer to undertake the WWS Works subject to the following terms and conditions:

1. The Developer shall, at its sole expense and at no cost whatsoever to the City, retain the services of a qualified municipal engineer for design services, construction supervision services, and as the project manager to coordinate the WWS Works (the "Engineer").

2. The Developer shall pay any and all costs associated with the WWS Works, including without limitation the cost of all engineering services.

3. Where the land of a third party directly benefits from the WWS Works, as determined by the City, the City shall endeavor to collect a cost recovery for the Developer in accordance with the Development Agreement Parameters.

4. The Developer shall maintain the WWS Works in good operating condition for a period of one year from the date of completion of construction, and any letter of credit posted by the Developer shall provide for all such guarantees and warranties of maintenance.

5. The latest version of the following City documents will apply to all materials supplied and all construction procedures related to the Developer's undertaking of the WWS Works:

    (a) Standard Construction Specifications; and

    (b) Water and Sewer Standards Manual

6. The Computer Assisted Drafting (CAD)-Geographic Information System (GIS) Standards will apply to the drawing preparation related to Developer's undertaking of the WWS Works.

7. The Developer shall employ contractors licensed by the City for the construction of sewers, water mains, pavement and landscaping on City streets and lanes, and each contractor shall file with the City a Contractor's Liability Insurance policy to provide evidence of coverage in amount and form satisfactory to the City.

8. The Developer shall provide the City with letters of credit, in dollar amounts determined by the Director of Water and Waste and in a form satisfactory to the City Solicitor, as security to guarantee the performance of the Developer's obligations:

   (a) in the Agreement for Services; and

   (b) under The Builders' Liens Act (Manitoba),

   all to the satisfaction of the Directors of Water and Waste and Planning, Property and Development.

9. The Developer shall ensure that the Engineer:

   (a) inspects the WWS Works on behalf of the City while the WWS Works are being installed;

   (b) provides the City with record drawings of the WWS Works by March 31 of the year following the date of substantial completion of the WWS Works; and

   (c) provides all other engineering consulting services related to the installation and acceptance of the WWS Works.

10. The Developer shall release, indemnify and save harmless the City from and against all claims, demands, injuries, including death, actions, sums, liabilities, obligations, losses, or suits of any nature, whether at law or equity, arising from the development and WWS Works at any time during the currency of the development or out of any matter or obligation of the Developer.

11. The Developer shall enter into an Agreement for Services with the City embodying the foregoing Proposed Terms and Conditions and such other terms and conditions as the Director of Legal Services deems necessary and, in a form, satisfactory to the Director of Legal Services.

12. All terms and conditions contained herein are subject to Council approval and are not binding until such time as that approval is obtained.

10191779 Manitoba Inc. hereby agree(s) to enter into an Agreement for Services and any easement agreements required by The City of Winnipeg for undertaking the WWS Works in accordance with the terms and conditions as outlined herein.

Per: _____

Name: Justin Glays
Title: Director

I am authorized to bind the Corporation

Jan 22, 2025
Date

Please provide the following Developer contact information:

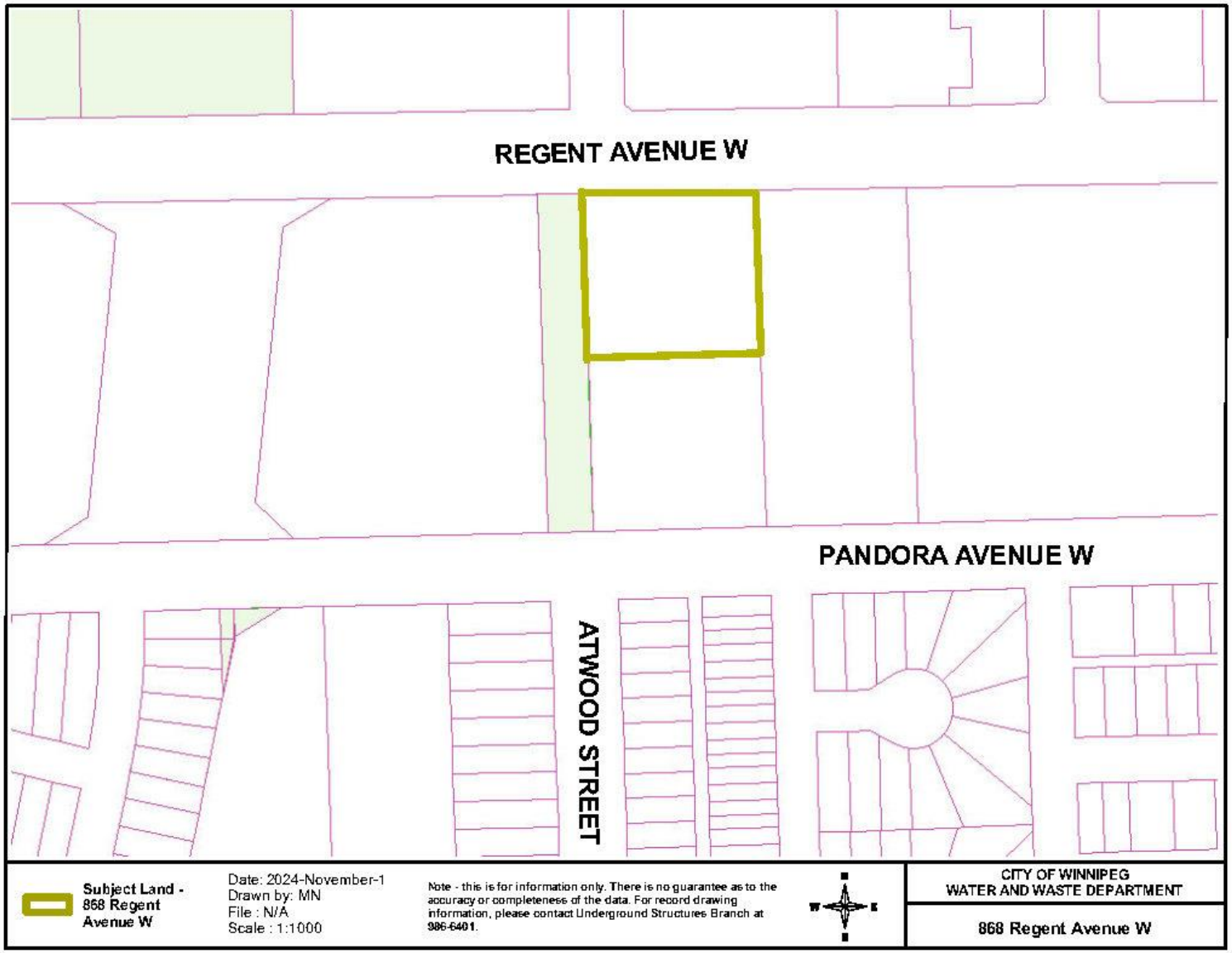
Contact Person:

Daytime: Justin Glays Phone No.:___

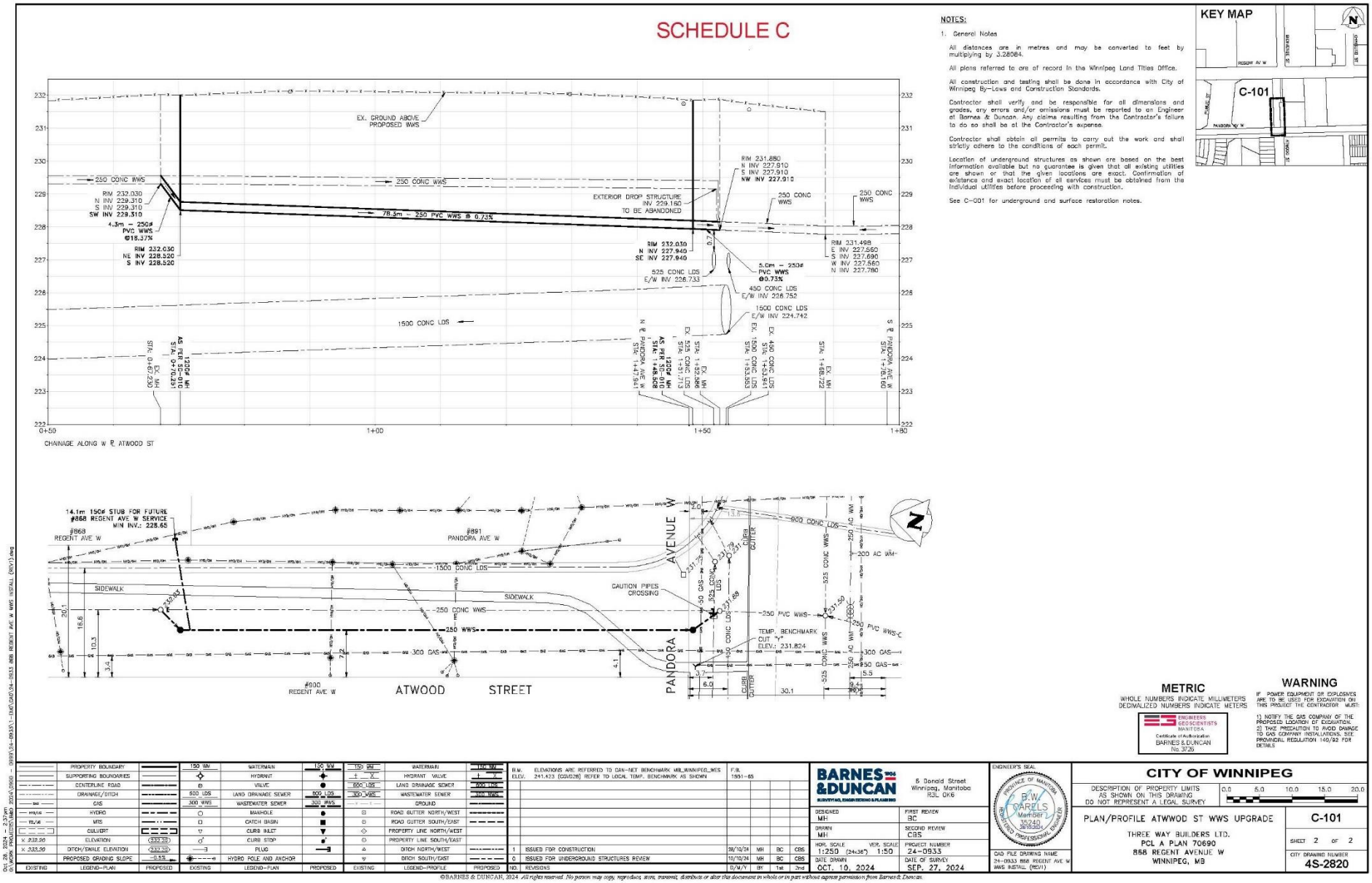
After Hours: _____ Phone No.:_____

E-mail Address: __

Schedule "B"


REGENT AVENUE W
PANDORA AVENUE W
ATWOOD STREET
Subject Land - 868 Regent Avenue W
Date: 2024-November-1
Drawn by: MN
File : N/A
Scale : 1:1000
Note - this is for information only. There is no guarantee as to the accuracy or completeness of the data. For record drawing information, please contact Underground Structures Branch at 986-6401.
CITY OF WINNIPEG
WATER AND WASTE DEPARTMENT
868 Regent Avenue W

Schedule “C”


SCHEDULE C
NOTES:
1. General Notes
All distances are in metres and may be converted to feet by multiplying by 3.28084.
All plans referred to are of record in the Winnipeg Land Titles Office.
All construction and testing shall be done in accordance with City of Winnipeg By-Laws and Construction Standards.
Contractor shall verify and be responsible for all dimensions and grades, any errors and/or omissions must be reported to an Engineer at Barnes & Duncan. Any claims resulting from the Contractor's failure to do so shall be at the Contractor's expense.
Contractor shall obtain all permits to carry out the work and shall strictly adhere to the conditions of each permit.
Location of underground structures as shown are based on the best information available but no guarantee is given that all existing utilities are shown or that the given locations are exact. Confirmation of existance and exact location of all services must be obtained from the individual utilities before proceeding with construction.
See C-001 for underground and surface restoration notes.
KEY MAP
C-101
EX. GROUND ABOVE PROPOSED WWS
250 CONC WWS
RIM 232.030
N INV 229.310
S INV 229.310
SW INV 229.310
4.3m – 250ø PVC WWS @18.37%
78.3m – 250 PVC WWS @ 0.73%
EXTERIOR DROP STRUCTURE INV 229.160 TO BE ABANDONED
RIM 231.880
N INV 227.910
S INV 227.910
NW INV 227.910
RIM 232.030
N INV 227.940
SE INV 227.940
525 CONC LDS E/W INV 226.733
5.0m – 250ø PVC WWS @0.73%
450 CONC LDS E/W INV 226.752
1500 CONC LDS E/W INV 224.742
RIM 231.498
E INV 227.560
S INV 227.690
W INV 227.560
N INV 227.780
1500 CONC LDS
AS-REB 1220ø MH STA: 0+751.251
EX. MH STA: 0+810.620
EX. 1220ø MH STA: 1+47.961
EX. 1525 CONC LDS STA: 1+51.713
EX. MH STA: 1+82.986
EX. 1500 CONC LDS STA: 1+153.353
EX. 450 CONC LDS STA: 1+154.151
EX. MH STA: 1+68.222
EX. MH STA: 1+26.160
S. R. PANDORA AVE W
N. R. PANDORA AVE W
0+50
1+00
1+50
1+80
CHAINAGE ALONG W R. ATWOOD ST
14.1m 150ø STUB FOR FUTURE #868 REGENT AVE W SERVICE MIN INV.: 228.65
#868 REGENT AVE W
#891 PANDORA AVE W
SIDEWALK
1500 CONC LDS
250 CONC WWS
250 WWS
300 GAS
CAUTION PIPES CROSSING
900 CONC LDS
200 AC WM
525 CONC WWS
250 PVC WWS
TEMP. BENCHMARK CUT "X" ELEV.: 231.824
#900 REGENT AVE W
ATWOOD STREET
PANDORA AVENUE
CURB GUTTER
METRIC
WHOLE NUMBERS INDICATE MILLIMETERS
DECIMALIZED NUMBERS INDICATE METERS
ENGINEERS GEOSCIENTISTS MANITOBA
Certificate of Authorization
BARNES & DUNCAN
No. 3726
WARNING
IF POWER EQUIPMENT OR EXPLOSIVES ARE TO BE USED FOR EXCAVATION ON THIS PROJECT THE CONTRACTOR MUST:
1) NOTIFY THE GAS COMPANY OF THE PROPOSED LOCATION OF EXCAVATION.
2) TAKE PRECAUTION TO AVOID DAMAGE TO GAS COMPANY INSTALLATIONS. SEE PROVINCIAL REGULATION 140/92 FOR DETAILS
PROPERTY BOUNDARY
SUPPORTING BOUNDARIES
CENTERLINE ROAD
DRAINAGE/DITCH
GAS
HYDRO
MTS
CULVERT
ELEVATION
DITCH/SWALE ELEVATION
PROPOSED GRADING SLOPE
EXISTING
LEGEND–PLAN
PROPOSED
150 WM
600 LDS
300 WWS
HYDRANT
VALVE
LAND DRAINAGE SEWER
WASTEWATER SEWER
MANHOLE
CATCH BASIN
CURB INLET
CURB STOP
PLUG
HYDRO POLE AND ANCHOR
GROUND
ROAD CUTTER NORTH/WEST
ROAD CUTTER SOUTH/EAST
PROPERTY LINE NORTH/WEST
PROPERTY LINE SOUTH/EAST
DITCH NORTH/WEST
DITCH SOUTH/EAST
B.M. ELEVATIONS ARE REFERRED TO CAN-NET BENCHMARK MB_WINNIPEG_WES
ELEV. 241.433 (CGVD28) REFER TO LOCAL TEMP. BENCHMARK AS SHOWN
F.B. 1951-65
1 ISSUED FOR CONSTRUCTION 28/10/24 MH BC CBS
0 ISSUED FOR UNDERGROUND STRUCTURES REVIEW 10/10/24 MH BC CBS
NO. REVISIONS D/M/Y BY 1st 2nd
BARNES & DUNCAN SURVEYING, ENGINEERING & PLANNING
5 Donald Street Winnipeg, Manitoba R3L 0K6
DESIGNED MH
DRAWN MH
FIRST REVIEW BC
SECOND REVIEW CBS
HOR. SCALE 1:250 (24x36") VER. SCALE 1:50
PROJECT NUMBER 24-0933
DATE DRAWN OCT. 10, 2024
DATE OF SURVEY SEP. 27, 2024
CAD FILE DRAWING NAME 24-0933 858 REGENT AVE W WWS INSTALL (REV1)
ENGINEER'S SEAL
PROVINCE OF MANITOBA B.W. DARELS Member 35240 26/10/2024 REGISTERED PROFESSIONAL ENGINEER
CITY OF WINNIPEG
DESCRIPTION OF PROPERTY LIMITS AS SHOWN ON THIS DRAWING DO NOT REPRESENT A LEGAL SURVEY
0.0 5.0 10.0 15.0 20.0
PLAN/PROFILE ATWOOD ST WWS UPGRADE
THREE WAY BUILDERS LTD.
PCL A PLAN 70690
858 REGENT AVENUE W
WINNIPEG, MB
C-101
SHEET 2 OF 2
CITY DRAWING NUMBER
4S-2820
Oct. 28, 2024 - 2:37pm
O:\WORK PROJECTS\MB\2024\0933 - 858R\04-PRJ\01-INVT\CAD\04-PRJ\1-INVT\CAD\04-PRJ\1-INVT\CAD\24-0933 858 REGENT AVE W WWS INSTALL (REV1).dwg
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