Minutes – Council – May 2, 2025

Minute No. 271
Report – Standing Policy Committee on Water, Waste and Environment – April 11, 2025

Item No. 3 Proposed Agreement for Services – Wastewater Sewer Works – 868 Regent Avenue West

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Water, Waste and Environment and adopted the following:

1. That the Proposed Terms and Conditions for an Agreement for Services, attached hereto as Schedule A, in favor of 10191779 Manitoba Inc., to construct and install wastewater sewer upgrades, 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 10191779 Manitoba 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 terms and 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.

Report – Standing Policy Committee on Water, Waste and Environment – April 11, 2025

DECISION MAKING HISTORY:

Moved by Councillor Eadie,

That the recommendation of the Standing Policy Committee on Water, Waste and Environment be adopted by consent.

Carried

Councillor Santos was absent from the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 22, 2025, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Water, Waste and Environment and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 11, 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 – Wastewater Sewer Works – 868 Regent Avenue W

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, Engineering Services	T. W. Shanks, M. Eng., P. Eng. Director, Water and Waste Department	T. Graham	S. Armbruster, Interim CAO

EXECUTIVE SUMMARY

The landowner, 10191779 Manitoba Inc., wishes to construct a car wash on the land at 868 Regent Avenue W (the "Land"). Developing the Land in this way requires the construction and installation of wastewater sewer upgrades between Regent Avenue W and Pandora Avenue. This will provide adequate servicing capacity.

An Agreement for Services with the landowner is necessary and will include an explanation of the obligations related to undertaking the wastewater sewer works.

RECOMMENDATIONS

1. That the Proposed Terms and Conditions for an Agreement for Services, attached hereto as Schedule A, in favor of 10191779 Manitoba Inc., to construct and install wastewater sewer upgrades, 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 10191779 Manitoba 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 terms and 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 wastewater servicing conditions to be applied to the development of the property located at 868 Regent Avenue W. The landowner, 10191779 Manitoba Inc., is responsible for all costs associated with undertaking the wastewater sewer works.

HISTORY/DISCUSSION

In August of 2016, the Water and Waste Department (WWD) received a development application proposing a plan of subdivision at the Land into two zoning lots in order to allow for the creation of an additional commercial building lot for future development.

In July 2024, the WWD received a development permit application for the proposed car wash at the Land. Through the WWD review of this permit application and related correspondence, the engineering consultant representing the developers and WWD determined that the construction and installation of wastewater sewer upgrades between Regent Avenue W and Pandora Avenue (the “WWS Works”) was necessary.

No subdivision or rezoning application conditions apply to the 10191779 Manitoba Inc. development proposal. Thus, the appropriate mechanism for undertaking the WWS Works is for the City and 10191779 Manitoba Inc. to enter into an agreement under Section 211 of the City of Winnipeg Charter, to apply important obligations related to undertaking the WWS Works. Section 211 permits the City to enter into agreements with any person to provide services in the City.

On October 8, 2024, 10191779 Manitoba Inc. confirmed by email that they intend to proceed with the WWS Works under an Agreement for Services, subject to Council approval. On January 22, 2025, 10191779 Manitoba Inc. agreed to the Proposed Terms and Conditions (the “TC’s”) related to the WWS Works, which are attached as Schedule A to this report. The purpose of the TC’s is to outline the common understanding of the City and 10191779 Manitoba Inc. regarding 10191779 Manitoba Inc.’s obligations in undertaking the WWS Works.

The landowner, 10191779 Manitoba Inc., is responsible for all costs associated with undertaking the WWS Works, including the cost of engineering services. After completion of a warranty period, the City will be responsible for the wastewater sewer and appurtenances thereto.

FINANCIAL IMPACT

Financial Impact Statement

Date: February 14, 2025

Project Name:

PROPOSED AGREEMENT FOR SERVICES - WASTEWATER SEWER WORKS - 868 REGENT AVE W

COMMENTS:

10191779 Manitoba Inc. is responsible for all costs associated with undertaking the WWS Works, including the cost of engineering services.

Lucy Szkwarek, CPA, CGA

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 through municipal activities and urban environment.

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 (WPRS) 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 20, 2025
File No.: 020-06-02-07-00

ATTACHMENTS:

APPENDIX: Schedule A - Proposed Terms and Conditions