**Agenda – Council – July 17, 2025**

**Report – Standing Policy Committee on Property and Development – July 4, 2025**

**Item No. 5 Proposed Encroachment Agreement between The Rural Municipality of Rosser and the City of Winnipeg for Underground Force Mains on Red Fife Road and Sturgeon Road**

STANDING COMMITTEE RECOMMENDATION:

On July 8, 2025, 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 an encroachment agreement for a force main, as identified in Schedule A (attached), within the Rural Municipality of Rosser for an annual continuing term, be approved.

2. That the authority be delegated to the Director of Planning, Property and Development to waive licence fees under the Encroachment By-law 12/2019 where there is an encroachment with Rural Municipality of Rosser.

3. That the City enter into, execute and deliver an Encroachment Agreement, a Construction Agreement and an Agreement for Waiver of Future Encroachment Fees with the Rural Municipality of Rosser and any Ancillary Agreements as determined necessary by the City Solicitor / Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

4. That the authority be delegated to the Director of Planning, Property and Development to negotiate and approve the terms and conditions of agreements with the Rural Municipality of Rosser related to an Encroachment Agreement, Construction Agreement and an Agreement for Waiver of Future Encroachment Fees and any other 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.

5. 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 Property and Development – July 4, 2025**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 8, 2025, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 4, 2025, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- In Recommendation 2, add the word “licence” after the word “waive”

and submitted the matter to the Executive Policy Committee and Council.

# ADMINISTRATIVE REPORT

**Title:** Proposed Encroachment Agreement between The Rural Municipality of Rosser and the City of Winnipeg for underground force mains on Red Fife Road and Sturgeon Road.

**Critical Path:** Standing Policy Committee on Property and Development – Executive Policy Committee – Council

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| G. Chappell (Acting) | J. Veitch (Acting) | T. Graham | S. Armbruster, Interim CAO |

## EXECUTIVE SUMMARY

The Public Service has negotiated terms for an encroachment agreement to install underground sewer force mains in the Rural Municipality of Rosser (the "RM"). The force mains will service the CentrePort land located within the City of Winnipeg limits as identified in Schedule A (attached). The proposed encroachments are wide enough to allow for another force main, if required in the future.

The City will be responsible to pay the RM a one-time license fee in the amount of $93,217.70 and document preparation fee of $3,490.00 for the encroachment agreement. The term of the agreement will be annual continuing.

The Public Service recommends that the RM and the City enter into an agreement to waive encroachment fees moving forward. The RM currently has two encroachment agreements with the City that are of a similar size to the City's proposed encroachment with the RM. The waiver agreement will not reduce the City's ability to approve and/or terminate (current or future) encroachments.

## RECOMMENDATIONS

1. That an encroachment agreement for a force main, as identified in Schedule A (attached), within the Rural Municipality of Rosser for an annual continuing term, be approved.

2. That the authority be delegated to the Director of Planning, Property and Development to waive fees under the Encroachment By-law 12/2019 where there is an encroachment with Rural Municipality of Rosser.

3. That the City enter into, execute and deliver an Encroachment Agreement, a Construction Agreement and an Agreement for Waiver of Future Encroachment Fees with the Rural

Municipality of Rosser and any Ancillary Agreements as determined necessary by the City Solicitor / Director of Legal Services to implement the intent of the foregoing (the “Ancillary Agreements”).

4. That the authority be delegated to the Director of Planning, Property and Development to negotiate and approve the terms and conditions of agreements with the Rural Municipality of Rosser related to an Encroachment Agreement, Construction Agreement and an Agreement for Waiver of Future Encroachment Fees and any other 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.

5. 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

Pursuant to the “Real Estate – Leasing and Licensing of Property” Policy adopted by Council on September 29, 2021, Council approval is required where the term of a lease in which the City is a tenant, exceeds 15 years and when a delegation of authority to waive fees and approval authority for the Director of Planning, Property and Development is required.

## IMPLICATIONS OF THE RECOMMENDATIONS

The Encroachment Agreement will be for an annual continuing term and can be terminated on 180 days' written notice.

The waiver agreement forfeits annual rental revenue from the RM of Rosser in the amount of $16,789.44 plus GST.

## HISTORY/DISCUSSION

The Province of Manitoba established CentrePort Canada Inc. through the CentrePort Canada Act in 2008. CentrePort Canada (“CentrePort”) is an inland port that includes 20,000 acres of land in Winnipeg and the Rural Municipality of Rosser (“RM”).

Development of CentrePort within the City limits commenced in the fall 2024. The project requires the City to use a portion of land under the RM’s jurisdiction to install an underground force main to service the CentrePort land within the City of Winnipeg limits.

The Public Service have negotiated terms for an encroachment agreement with the RM, which requires the City of Winnipeg to make a one-time payment in the amount of $93,217.70 and document preparation fee of $3,490.00 which is an equivalent amount and offsets the fees the RM has paid to us to date for their current encroachments. The City will also be responsible for repairs, maintenance and future installation of additional force mains, if required.

The RM has agreed to waive annual license fees for the duration of the agreement. In turn, the Public Service recommends waiving future license fees under By-law 12/2019 for the utility infrastructure the RM has placed in City right-of-way along Brookside Boulevard.

**FINANCIAL IMPACT**

## Financial Impact Statement

**Date:** May 16, 2025

**Project Name:**

**First Year of Program** 2025

Proposed Encroachment Agreement between The Rural Municipality of Rosser and the City of Winnipeg for an underground forcemain on Red Fife Road and Sturgeon Road

| | 2025 | 2026 | 2027 | 2028 | 2029 |
|---|---|---|---|---|---|
| **Capital** | | | | | |
| Capital Expenditures Required | $ - | $ - | $ - | $ - | $ - |
| Less: Existing Budgeted Costs | - | - | - | - | - |
| Additional Capital Budget Required | $ - | $ - | $ - | $ - | $ - |
| | | | | | |
| **Funding Sources:** | | | | | |
| Debt - Internal | $ - | $ - | $ - | $ - | $ - |
| Debt - External | - | - | - | - | - |
| Grants (Enter Description Here) | - | - | - | - | - |
| Reserves, Equity, Surplus | - | - | - | - | - |
| Other - Enter Description Here | - | - | - | - | - |
| Total Funding | $ - | $ - | $ - | $ - | $ - |
| | | | | | |
| Total Additional Capital Budget Required | $ - | | | | |
| | | | | | |
| Total Additional Debt Required | $ - | | | | |
| | | | | | |
| **Current Expenditures/Revenues** | | | | | |
| Direct Costs | $ 96,708 | $ - | $ - | $ - | $ - |
| Less: Incremental Revenue/Recovery | - | - | - | - | - |
| Net Cost/(Benefit) | $ 96,708 | $ - | $ - | $ - | $ - |
| Less: Existing Budget Amounts | 96,708 | - | - | - | - |
| Net Budget Adjustment Required | $ - | $ - | $ - | $ - | $ - |

**Additional Comments:** Direct costs consist of the one-time payment of $93,218 + a document preparation fee of $3,490. The City will also forego encroachment license revenue of $16,789 on an annual continuing basis in exchange for the RM of Rosser waiving any future encroachment fees that would otherwise be charged to the City of Winnipeg. For the purposes of this analysis, the two amounts are assumed to be materially equivalent and to offset each other. Existing budget amounts represent funds for CentrePort available in the Water & Waste Department's budget.

Mike McGinn May 16, 2025

Mike McGinn, CPA, CA
Manager of Finance

## CONSULTATION

This Report has been prepared in consultation with:

- Legal Services (as to legal issues)
- Public Works Department
- Water and Waste Department

## OURWINNIPEG POLICY ALIGNMENT

**Our Winnipeg 2045 Development Plan:**

**Goal: Economic Prosperity**

**Objective: 4.** Make strategic use of community and regional assets to optimize local economic competitiveness.

**Policy: 3.16 Optimize Facility Access**
Maximize the use of existing municipal assets to promote recreation, community development, and social interaction, while optimizing equitable access, infrastructure reinvestments, service delivery methods and resource management.

## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to any of the Strategic Opportunities and Key Directions in the Climate Action Plan and it was determined that the Plan is not applicable to this specific report.

## WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the Poverty Reduction Strategy goals and it was determined that the Strategy is not applicable to this specific report.

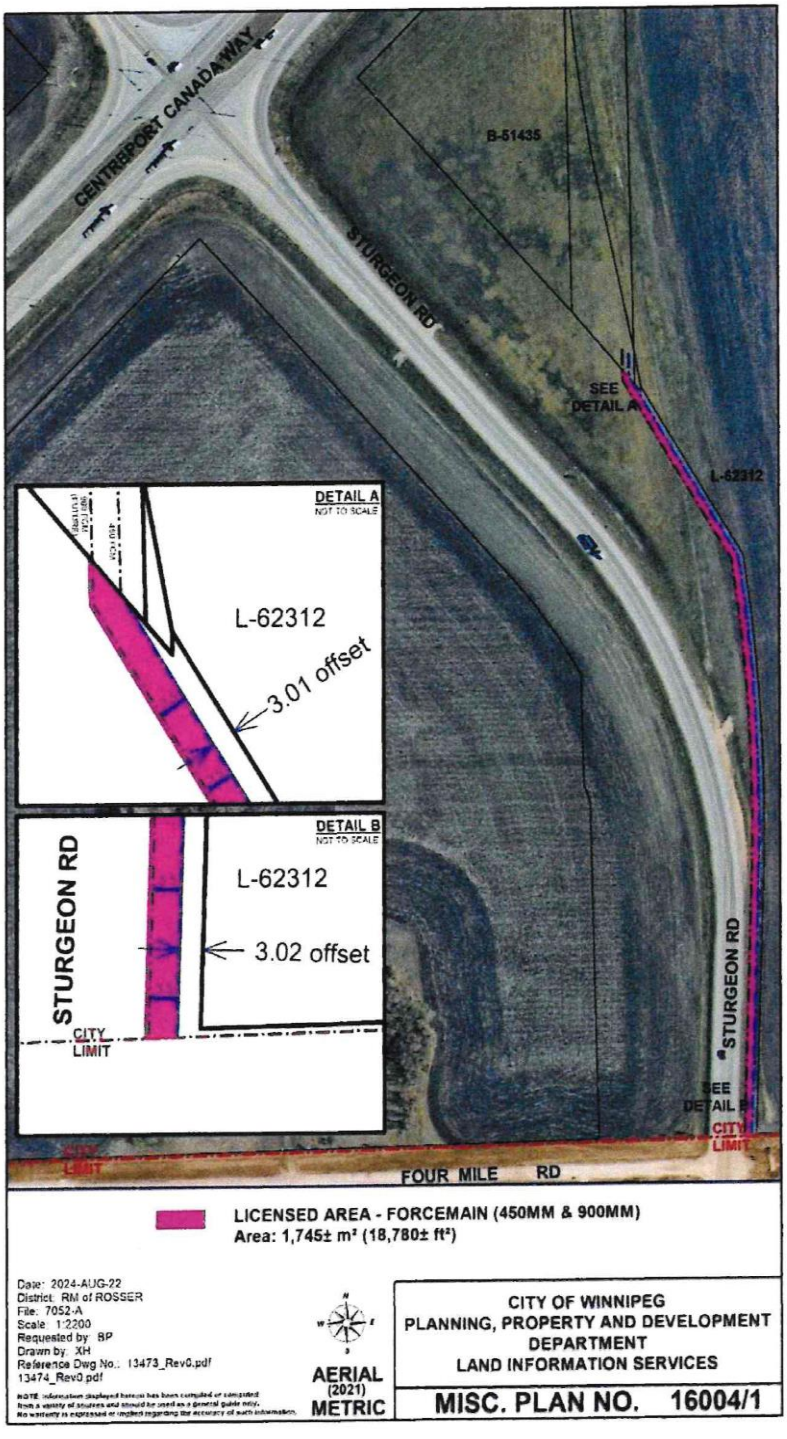
## SUBMITTED BY

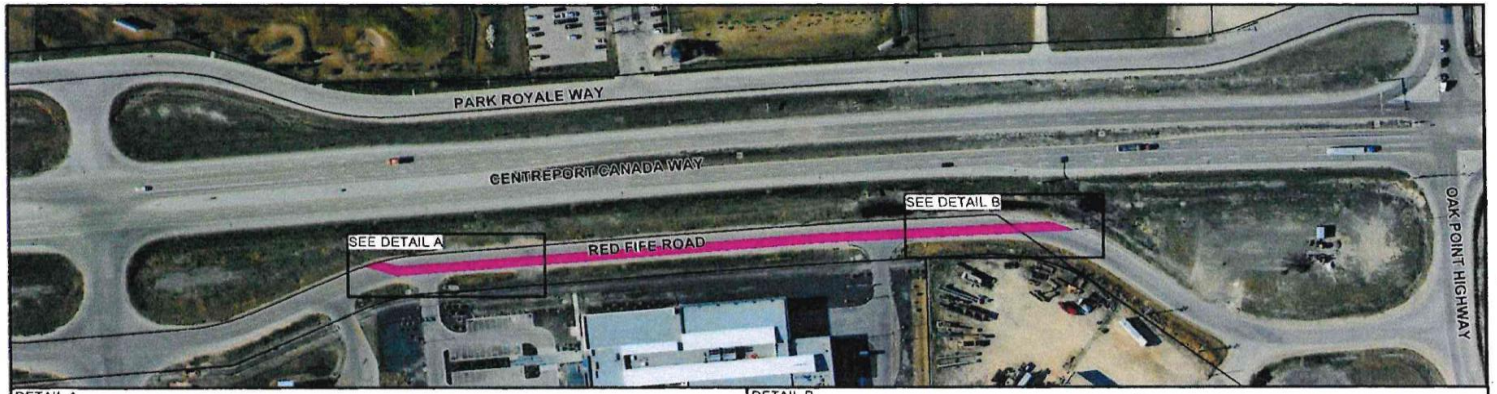
Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: Bridget Peterson, Senior Property Manager
Date: May 22, 2025
File No: 7052-B

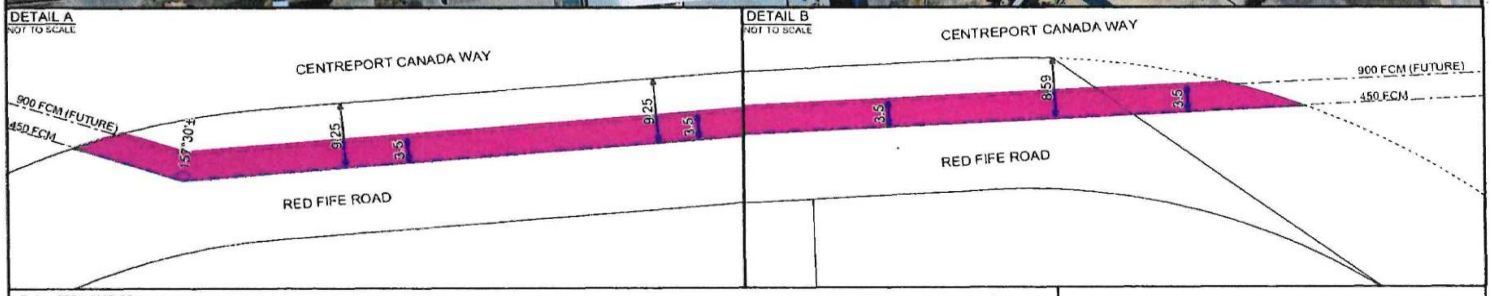
Attachments:
Schedule A – Misc Plan 16004/1 and Misc Plan 16008/2

## SCHEDULE A

Map of Lands and Force Main






Date: 2024-AUG-22
District: RM of ROSSER
File: Not Available
Scale: 1:2000
Requested by: BP
Drawn by: XH
Reference Dwg No.: RM of Rosser Encroachment Areas.pdf

NOTE: Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.

**LICENSED AREA - FORCEMAIN (450MM & 900MM)**
**Area: 1,318± m² (14,190± ft²)**

AERIAL (2021) METRIC

**CITY OF WINNIPEG**
**PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT**
**LAND INFORMATION SERVICES**

**MISC. PLAN NO. 16008/2**