Minutes – Executive Policy Committee – September 21, 2023

Report – Standing Policy Committee on Public Works – September 11, 2023

Item No. 2 Contribution Agreements with the City of Winnipeg and His Majesty the King in Right of Canada for the River and Stradbrook Avenues Protected Bike Lanes and the Sherbrook Street Protected Bike Lane Projects

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That grant funding be approved from His Majesty the King in Right of Canada under the Permanent Public Transit Program – Active Transportation Fund for the River and Stradbrook Avenues Protected Bike Lanes project in the amount of $1,458,000 and the Sherbrook Street Protected Bike Lane Project in the amount of $384,600.

2. That the City enter into, execute and deliver contribution agreements with His Majesty the King in Right of Canada (the "Agreements") and such other agreements as determined necessary by the City Solicitor / Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

3. That authority be delegated to the Chief Financial Officer to negotiate and approve the terms and conditions of the contribution agreements with His Majesty the King in Right of Canada, 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 subject to approval of Recommendations 1 to 3, the following adopted capital budgets be amended as required to include up to $1,842,600 of grant funding from His Majesty the King in Right of Canada with estimated allocations as noted below and final budget increases equivalent to the grant funding earned under the terms of the agreement(s):

    A. The 2022 Regional Street Renewal Program – dedicated Active Transportation Infrastructure budget be increased by up to $1,307,700 (project #1804500122).

    B. The 2022 Pedestrian and Cycling Program (re: River Avenue / Stradbrook Avenue protected bike lane) budget be increased by up to $150,300 (project #1832000122).

    C. The 2020 Pedestrian and Cycling Program (re: Sherbrook Street Protected bike lane budget) budget be increased by up to $384,600 (project #1832000120).

Report – Standing Policy Committee on Public Works – September 11, 2023

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

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 Public Works – September 11, 2023

DECISION MAKING HISTORY:

Moved by Councillor Lukes,

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

Carried

STANDING COMMITTEE RECOMMENDATION:

On September 11, 2023, the Standing Policy Committee on Public Works concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Contribution Agreements with the City of Winnipeg and His Majesty the King in Right of Canada for the River and Stradbrook Avenues Protected Bike Lanes and the Sherbrook Street Protected Bike Lane Projects

Critical Path: Standing Policy Committee on Public Works – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Patman, P. Eng.	J. Berezowsky	B. D'Avignon (Acting)	M. Jack

EXECUTIVE SUMMARY

The Public Service requests approval to enter into two contribution agreements with His Majesty the King in Right of Canada, as represented by the Minister of Infrastructure and Communities, which would provide up to $1,842,600 for the construction of protected bike lanes on River and Stradbrook Avenues ($1,458,000) and Sherbrook Street ($384,600). The funds are the result of two successful grant applications to the Federal Government's Active Transportation Fund that is part of the Permanent Public Transit Program from Infrastructure Canada.

Approval of the contribution agreements would also require the capital budget to be increased by the funding amounts available under the terms of the agreements. The additional external funding of these projects would result in incremental adopted and forecast active transportation funding becoming available to fund other active transportation initiatives or needs within; the Pedestrian and Cycling Program and the dedicated Active Transportation Infrastructure project within the Regional Local Streets Program.

The additional budgets are intended to be utilized to first address any incremental costs related to the delivery of the River Stradbrook Protected Bike Lane project and the Sherbrook Street Protected Bike Lane project, and then to support the delivery of additional active transportation projects, as future funding allows including:

- Day Street protected bike lane – Kildare Avenue to Pandora Avenue;
- Keewatin Street multi-use path connection – Keewatin Street to Tyndall Avenue via Shaughnessy Park; and
- Togo Avenue to Churchill Drive connection to Transit Blue Line path at Woodward.

In accordance with Council direction on the Pedestrian and Cycling Program, any surplus funds are to remain within the program. All matters in the draft contribution agreement have been agreed to in principle.

RECOMMENDATIONS

1. That grant funding be approved from His Majesty the King in Right of Canada under the Permanent Public Transit Program – Active Transportation Fund for the River and Stradbrook Avenues Protected Bike Lanes project in the amount of $1,458,000 and the Sherbrook Street Protected Bike Lane Project in the amount of $384,600.

2. That the City enter into, execute and deliver contribution agreements with His Majesty the King in Right of Canada (the “Agreements”) and such other agreements as determined necessary by the City Solicitor / Director of Legal Services to implement the intent of the foregoing (the “Ancillary Agreements”).

3. That authority be delegated to the Chief Financial Officer to negotiate and approve the terms and conditions of the contribution agreements with His Majesty the King in Right of Canada, 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 subject to Council approval of Recommendations 1 to 3, the following adopted capital budgets be amended as required to include up to $1,842,600 of grant funding from His Majesty the King in Right of Canada with estimated allocations as noted below and final budget increases equivalent to the grant funding earned under the terms of the agreement(s):

    A. The 2022 Regional Street Renewal Program – dedicated Active Transportation Infrastructure budget be increased by up to $1,307,700 (project #1804500122).

    B. The 2022 Pedestrian and Cycling Program (re: River Avenue / Stradbrook Avenue protected bike lane) budget be increased by up to $150,300 (project #1832000122).

    C. The 2020 Pedestrian and Cycling Program (re: Sherbrook Street Protected bike lane budget) budget be increased by up to $384,600 (project #1832000120).

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

Council approval is required for the City to receive grants and enter into contribution agreements with the government of Canada.

Council approval is also required to increase adopted capital budgets by the amounts received.

IMPLICATIONS OF THE RECOMMENDATIONS

The grant funding earned under the terms of the agreements increase Capital Budgets –up to $1,842,600. The final budget increase will be equivalent to the grant funding earned under the terms of the agreements.

- The 2022 Regional Street Renewal Program – dedicated Active Transportation Infrastructure budget be increase by up to $1,307,700 (project #1804500122).
- The 2022 Pedestrian and Cycling Program (re: River Avenue / Stradbrook Avenue protected bike lane) budget be increased by up to $150,300 (project #1832000122).
- The 2020 Pedestrian and Cycling Program (re: Sherbrook Street Protected bike lane budget) budget be increased by up to $384,600 (project #1832000120).

The River and Stradbrook Avenues Protected Bike Lanes project, and the Sherbrook Street Protected Bike Lane project are intended to be delivered within the existing and forecast budgets regardless of the additional funding being received.

HISTORY/DISCUSSION

On February 10, 2021, the Prime Minister, Minister of Infrastructure and Communities, and Minister of Environment and Climate Change announced $5.9 billion in new funding for public transit and active transportation over five years, beginning in 2021-22, with a permanent annual envelope of $3 billion ongoing beginning in 2026-27. This funding included the creation of an Active Transportation Fund (the “Fund”), a $400 million, five-year investment to fund projects that expand and enhance active transportation networks in communities of all types and sizes, and support Canada's National Active Transportation Strategy.

Applications were accepted for the Fund in March 2022. The City of Winnipeg submitted two applications, which were subsequently approved for funding in December 2022. The two approved projects for funding were the River and Stradbrook Avenues Protected Bike Lanes project and the Sherbrook Street Protected Bike Lane project. Both projects had existing design-work completed and are included in adopted and forecast years of Council-approved capital budgets.

The River and Stradbrook Avenues Protected Bike Lanes project is an existing project within Council-approved Capital Budgets. This project will see the construction of protected bike lanes on River and Stradbrook Avenues between Wellington Crescent and Harkness Avenue, as well as a protected bike lane on Wellington Crescent between River and Stradbrook Avenues. This project will be constructed as part of the regional street renewal project on these streets west of Osborne Street, currently scheduled for construction in summer 2023. These protected bike lanes were part of the Recommended Cycling Network in Osborne Village that were developed as part of the Osborne to Downtown Walk Bike Bridge and Connections Project that was completed in 2020. Funding for the River and Stradbrook Avenues Protected Bike Lanes project is provided through the Council approved Pedestrian and Cycling Program and Non-accelerated Regional Street Renewal Program.

The Sherbrook Street Protected Bike Lane project is an existing project within Council-approved capital budgets, and included in future year forecasts. This project will see the existing painted bike lane on Sherbrook Street from approximately Broadway to Cumberland Avenue upgraded to a protected bike lane. The annual Pedestrian and Cycling Program is a scalable program containing specifically identified projects and initiatives in the Council approved detail sheets. Many projects within the program are funded incrementally and completed in phases or increments over time as budgets allow which is the case regarding the Sherbrook Street Protected Bike Lanes. The identified opportunity to fund with incremental external funding would reduce the amount of current and or future budget allocations required to deliver the project. This would also allow for the reprioritization of existing or future budgets to other active transportation initiatives as there would be incrementally more funding available for Active Transportation overall. Budget for the Sherbrook Street Protected Bike Lane project is currently allocated within the 2019-2021 Pedestrian and Cycling Program and included in future year forecasts.

Both projects are scheduled to be completed within adopted and forecast budgets; however, an opportunity presented itself to enter into a third-party funding arrangement and defray a portion of the project costs to other projects within the Pedestrian and Cycling Program and Regional Street Program budgets. The additional external funding for these projects would result in incremental active transportation funding becoming available to other active transportation projects within the Pedestrian and Cycling Program and dedicated Active Transportation Infrastructure project within the Regional Local Streets Program.

The additional budgets are intended to be utilized first to address any incremental costs related to the delivery of the River Stradbrook Protected Bike Lane project and the Sherbrook Street Protected Bike Lane project, and then to support the delivery of other active transportation projects as future funding allows including:

- Day Street protected bike lane – Kildare Avenue to Pandora Avenue;
- Keewatin Street multi-use path connection – Keewatin Street to Tyndall Avenue via Shaughnessy Park; and
- Togo Avenue to Churchill Drive connection to Transit Blue Line path at Woodward.

In accordance with Council direction on the Pedestrian and Cycling Program, any surplus funds are to remain within the program.

The Public Service requests approval to enter into contribution agreements with Canada, which has made available up to $1,458,000 for the River and Stradbrook Avenues Protected Bike Lanes project and up to $384,600 for the Sherbrook Street Protected Bike Lanes project. The Public Service anticipates total funding of approximately $1,842,600 for these projects based on current cost estimates; approval of the contribution agreements would also require the capital budget to be increased by the funding amount available under the terms of the agreement.

FINANCIAL IMPACT

Financial Impact Statement **Date:** August 1, 2023

Project Name: **First Year of Program** **2023**

Contribution Agreements with the City of Winnipeg and His Majesty The King In Right of Canada for the River and Stradbrook Avenues Protected Bike Lanes and the Sherbrook Street Protected Bike Lane Projects

	2023	2024	2025	2026	2027
Capital					
Capital Expenditures Required	$ 3,660,739	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	1,818,139	-	-	-	-
Additional Capital Budget Required	$ 1,842,600	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -		$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - His Majesty The King In Right of Canada Contribution	1,842,600		-	-	-
Total Funding	$ 1,842,600	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ 1,842,600				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	180,653	-	-	-	-
Net Cost/(Benefit)	$ (180,653)	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	(180,653)	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Capital expenditures required represent current estimated costs of the River and Stradbrook protected bike lanes ($2,986,464) and the Sherbrook protected bike lane ($674,275) for a total of $3,660,739. If the recommendations of this report are approved, incremental Federal funding in the estimated amount of $1,842,600 will be used to increase the following capital project budgets: 2022 Regional Street Renewal Program (project #1804500122 - $1,307,700), Pedestrian and Cycling program (project #1832000122 - $150,300 and project #1832000120 - $384,600). The increase in the capital budgets identified will result in incremental available budgets of $1,842,600 for Active Transportation projects/initiatives within the respective programs. The additional budgets are intended to be utilized first to address any incremental costs related to the delivery of the River Stradbrook Protected Bike Lane and Sherbrook Street Protected Bike Lane projects, and then to support the delivery of other active transportation projects as identified in the report. Incremental Revenue/Recovery represents estimated departmental, corporate interest and administrative overheads.

A. Fischer 2023-8-01

for J. Ruby CPA, CA
Manager of Finance and Administration

CONSULTATION

This Report has been prepared in consultation with: Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

Goal: Environmental Resilience
2.1 Climate Action Targets - Meet and exceed greenhouse gas emissions reduction targets of 20 percent by 2030, relative to 2011, and net zero by 2050, by working towards partnerships with the community, businesses, and government bodies including Indigenous, Federal and Provincial governments.

Goal: Economic Prosperity
3.17 Sustainable Transportation Connectivity - Prioritize enhancements to the integrated and sustainable transportation system that improve its viability and access to places such as educational institutions, employment opportunities, recreation and library facilities, providers of essential goods and services and health providers, especially for children, and for neighbourhoods most impacted by poverty.

Goal: Good Health and Well-Being
4.10 Transportation Safety - Design, construct, maintain, and regulate an integrated and sustainable transportation system and related infrastructure that optimize safe, connected and reliable mobility, and minimize severe injuries and fatalities for all road users.

Transportation Master Plan
Section 5.2 Active Transportation
Enabling strategies
n) Seek innovative and new partnerships to support AT programs and facilities

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #3 Advancing Sustainable Transportation 3.4 Increase Active Transportation Rates

Strategic Opportunity #3 Advancing Sustainable Transportation 3.5 Reduce Traffic Congestion

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Action #1 Adopt a poverty reduction approach to service delivery

Action #2 Use poverty data to inform decision making

SUBMITTED BY

Department: Public Works
Division: Transportation
Prepared by: Chris Baker, MCIP, RPP, Senior Active Transportation Planner and

Erik Dickson, MCIP, RPP, Livable Streets Specialist
Date: August 1, 2023