

STAFF REPORT



TO: Public Works Section of Coordinated Committee

FROM: Kevin Lalonde, Director Public Works
Nathan Wukasch, Planner
Johanna Griggs, Economic Development Officer

SUBJECT: Ontario Municipal Commuter Cycling (OMCC) Program

DATE: July 20, 2017

RECOMMENDATION:

THAT the Public Works Section of Coordinated Committee recommends to Council that the Town of Wasaga Beach declare that it will participate in the Ontario Municipal Commuter Cycling Program (OMCC) for 2017 and requests funding to support the commuter cycling projects listed in this report;

AND THAT the Town of Wasaga Beach declare that all the commuter cycling projects listed in this report and that use OMCC funding meet OMCC program requirements;

AND THAT the Town of Wasaga Beach declares that it has an Active Transportation Plan that includes cycling (<http://www.wasagabeach.com/Studies/Active%20Transportation%20Plan.pdf>) and that all projects submitted in this application for consideration for OMCC funding are supported by this plan;

AND FINALLY THAT staff be directed to report back on funding allocations should the application be approved.

BACKGROUND:

In 2008 the Town developed an Active Transportation Plan (ATP), which is a guiding document to improve pedestrian, hiking and cycling facilities and promote a vision of the future where residents and visitors can move about the community in a safe and convenient manner on a comprehensive pedestrian and cycling system. In March 2013 a review of the ATP was undertaken in order to assess the success of implementation and identify any necessary adjustments. The review concluded that "the Town has been highly successful in meeting its' Active Transportation goals and the 2008 ATP and Phasing Strategy does not require modification." As such, staff continue to look to the ATP to guide planning for trails and cycling.

The Town has also participated in a Bicycle Friendly Communities workshop in October 2016 with Share the Road Cycling Coalition. This resulted in an Action Plan to improve cycling in Wasaga Beach in March 2017.

Staff and a Subcommittee of the Town's Healthy Community Network have been tasked with implementation of the Action Plan, which identifies a two-year workplan and a five year vision for improved cycling in Wasaga Beach.

On May 29, 2017 the Government of Ontario announced the Ontario Municipal Commuter Cycling Program (OMCC). The purpose of this multi-year program is to provide direct, dedicated, annual funding to Ontario municipalities to support the implementation of commuter cycling infrastructure to encourage people to get out of their cars and onto bikes for their daily commute or other frequent trips.

DISCUSSION:

The Government of Ontario is enhancing implementation of its Cycling Strategy and Action Plan by increasing investments in commuter cycling infrastructure through the four year OMCC program. The OMCC program will provide municipalities with capital funding to build new and enhance existing commuter cycling infrastructure in order to help to promote safety for cyclists, making cycling more comfortable and appealing for day-to-day travel.

Municipalities that are interested in participating must submit an expression of interest and application by August 18, 2017. The application consists of a list of potential projects, an enabling by-law and a copy of a cycling plan, active transportation plan that incorporates cycling, transportation plan that incorporates cycling or the authority to participate in another municipality's council-approved plan. If a municipality with a population of 15,000 or more does not have a council approved plan that addresses cycling, they must first develop and secure council approval for a cycling plan prior to being able to use OMCC funding to implement eligible commuter cycling projects. Given the ATP addresses cycling, staff believe that it will satisfy this requirement.

Submitting an expression of interest and application does not commit the Town to undertaking any specific projects. Per the OMCC program guidelines, whether or not to proceed with a specific project on the list of approved projects, and how the OMCC funding will be allocated amongst the identified, eligible projects, will be left to the discretion of the municipality (see Appendix B for OMCC Program Guidelines).

Furthermore, a municipality does not have to participate in OMCC for every year of the program. A municipality can choose to participate in OMCC in any or all of the program years. A decision to participate or not participate in any given year of the program will neither oblige nor prevent a municipality from participating in future years. However, municipalities must declare their interest in participating in the program each year, identify their eligible projects annually, and confirm that they will be able to fund the municipal portion of each project's cost.

Funding

OMCC is supported by proceeds from Ontario's cap and trade program and has an allocation of \$42.5 million in the first year, with funding for future years being determined based on availability of cap and trade proceeds. Funding can be applied to both new commuter cycling infrastructure and to enhancements to existing cycling infrastructure to better support commuting cyclists. Municipalities are eligible for annual OMCC funding to support up to 80% of costs associated with implementation of eligible commuter cycling projects.

Funding is allocated based on a municipality's population size. For medium and large municipalities, with a population of 15,000 or greater, allocations will be based upon a funding formula. The formula is as follows:

<u>Base Funding:</u> \$25,000 for each participating municipality	+	<u>Population-based Funding:</u> 70% of the remaining allocation based on municipal population.*	+	<u>Cyclist-based Funding:</u> 30% of the remaining allocation based on the number of municipal commuting cyclists.*
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*Source: 2011 Census (Statistics Canada)

It should be noted that upper-tier and lower-tier municipalities are both eligible for OMCC funding but funding will be divided 50/50 between the two tiers if both tiers declare interest in participating in any given year. Town staff have discussed the OMCC with staff at the County of Simcoe. The County has indicated that they are interested in participating but that they do not have a Council approved cycling plan that they can look to for project prioritization. As such, there is interest at the County staff level to explore the possibility of developing a regional cycling strategy that could include Collingwood, Wasaga Beach, Clearview, Springwater, Tiny, Penetanguishene, Midland and Tay.

Should the County decide to proceed with the development of a regional cycling plan, staff would work closely to ensure that the Town of Wasaga Beach's ATP is integrated into the plan and, should project priorities shift based on the County's findings, would be able to submit a revised project list to the Province on a semi-annual basis. The benefit of a regional approach to commuter cycling would be to encourage workforce flow throughout the region as many residents are employed in neighbouring communities and vice versa.

The budgetary impacts and actual costs that the Town would be responsible for will be determined by how much funding is approved through the OMCC, as municipalities must contribute at least 20% towards eligible costs. As such, staff will report back on budget impacts and potential offsets if and when funding has been approved.

Potential Cycling Projects

Staff from Public Works, Planning, Economic Development and GIS have met to discuss potentially eligible projects to include in the application and have compiled the following list based on the ATP, work completed to date and the 10 year capital plan. A summary of potential projects are as follows:

- Downtown Wasaga Beach (Main Street/Mosley Street) Pavement Marking / 'Road Diet' to include bike lanes
- Main Street Bridge Pavement Marking for bike lanes
- Veterans Way (Wasaga Dunes Bike Loop) Resurfacing & Paved Shoulders
- Wasaga Dunes Bike Loop - Wayfinding / Bike Route Signage
- Sunnidale Road Paved Shoulder Extension
- Ramblewood Drive Urbanization - Collector Road with Bike Lanes
- Shore Lane Trail - Wayfinding / Bike Route Signage
- Mosley Street Paved Shoulder Improvements - 46th Street to 58th Street (North Side)
- Mosley Street Pavement Marking / Road Diet (45th Street to River Road West) to include bike lanes
- Miscellaneous Bike Racks as determined through inventory analysis i.e. Beach Area 1 & 2
- Bells Park Road Paved Shoulders
- Sunnidale Road Ackerman Bridge (over McIntyre Creek) Improvements - Multi-Use Path Expansion (potential partnership project with the County)
- 58th Street South reconstruction to include cycling infrastructure
- River Road West paved shoulders improvements
- Trillium Creek Berm & Multi-Use Pathway along Carly Patterson Trail and Ramblewood, including signage
- River Road West and Silver Birch Trail loop and signage

RECOMMENDATION:

Staff recommend that Council approve submitting a declaration of interest in participating in the OMCC, an enabling by-law and an application form to the Province and that staff bring forward a report to Coordinated Committee with recommendations for funding allocations should the application be approved.

Respectfully submitted,

Kevin Lalonde, P.Eng, Director of Public Works

Nathan Wukasch, RPP, MCIP, Planner

Johanna Griggs, Economic Development Officer

Appendix A – OMCC Application Declaration Template Large-Medium Municipalities

Appendix B – OMCC Program Guide

**Ontario Municipal Commuter Cycling (OMCC) Program
20xx Application Declaration
Municipalities with a Population of 15,000 or Greater**

[insert name of municipality] declares that it will participate in the Ontario Municipal Commuter Cycling Program (OMCC) for 2017 and requests funding to support the commuter cycling projects listed in this document.

[insert name of municipality] declares that all the commuter cycling projects listed in this document and that use OMCC funding meet OMCC program requirements.

Either

[insert name of municipality] declares that it has a council approved cycling plan (insert link or copy attached) and that all projects submitted in this application for consideration for OMCC funding are supported by this plan.

Or

[insert name of municipality] declares that it does not have a council approved cycling plan but will develop and approve such a plan using OMCC funds. Once the plan is completed [insert name of municipality] will submit a list of projects for consideration for OMCC funding that are supported by this plan. [insert name of municipality] will not use OMCC funding for any project until the this plan is completed and the Ministry is approved a list of eligible projects.

(Instruction: Delete clause that does not apply)

Dated this xx day of <Date>.

MAYOR

CLERK

**ONTARIO MUNICIPAL COMMUTER CYCLING (OMCC)
PROGRAM**

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ONTARIO MUNICIPAL COMMUTER CYCLING (OMCC)

2017 PROGRAM GUIDE

Introduction

This Guide describes the Ontario Municipal Commuter Cycling Program (OMCC), a four year, cost-shared, direct funding program. The Guide provides information about the eligibility criteria, process and administration of the program.

Background

Transportation is a major source of greenhouse gas (GHG) emissions in Ontario. The province's Climate Change Action Plan 2016-2020 identifies initiatives intended to help reduce GHG emissions from the sector.

One of the ways Ontario will reduce GHG emissions from transportation is by encouraging people to get people out of their cars and onto bikes and transit for their daily commute and other frequent trips.

To that end, Ontario is enhancing implementation of its Cycling Strategy and Action Plan by increasing investments in commuter cycling infrastructure. The province will do this by investing cap and trade proceeds in:

- **Better cycling networks:**
To establish commuter cycling networks across Ontario by targeting routes with high-commuting volume such as between residential communities, major transit stations and employment areas.
- **Safe cycling:**
To support installation of more cycling facilities in urban areas, including grade-separated routes and cycling signals.

Building new and enhancing existing commuter cycling infrastructure will help Ontario to achieve its vision for commuter cycling under our Climate Change Action Plan. These investments in commuter cycling infrastructure will help to promote safety for cyclists, making cycling more comfortable and appealing for day-to-day travel.

Definitions

Definitions used in this guide are described in Appendix A.

Program Overview

The purpose of this program is to provide direct, dedicated, annual funding to Ontario municipalities to support the implementation of commuter cycling infrastructure to encourage people to get out of their cars and onto bikes for their daily commute or other frequent trips.

OMCC is a multi-year program, supported by proceeds from Ontario's cap and trade program, with \$42.5M available in the first year. Funding for future years will be determined based on availability of cap and trade proceeds. All Ontario municipalities are eligible for annual OMCC funding to support up to 80% of costs associated with their implementation of eligible commuter cycling projects. The Ministry may, at its discretion, provide accelerated funding to a municipality based upon the eligible project list and project timelines; however this will not increase the total funding eligible to that municipality over the 4-year period of the program.

Municipalities can apply for funding under one of two streams, based on their population size. In addition, municipalities must also declare their interest in participating in the program each year, identify their eligible projects annually, and confirm that they will be able to fund at least 20% of each project's cost.

Stream 1: Medium and Large Municipalities (population >15,000)

- For medium and large municipalities with a population of 15,000 or greater, allocations will be based upon a funding formula.
- The annual declaration must include confirmation that either the municipality has a cycling plan or is working in accordance with an upper-tier cycling plan.
 - The project list submitted must be prioritized based on the cycling plan.
- In cases where municipalities do not have a cycling plan to work from, the declaration submitted must confirm that they will first use OMCC funding to develop a cycling plan, before submitting a list of eligible infrastructure projects prioritized based on the cycling plan developed.

Stream 2: Smaller Municipalities (population <15,000)

- For smaller municipalities, there is annual funding of up to \$25,000 available per municipality on a first come first served basis.
- Existence of a cycling plan is not a requirement for funds to be used to support infrastructure projects.

The annual funding allocation for each participating municipality will be based upon the number of participating municipalities and the available funds in each funding year. Municipalities may also pursue funding partnerships with third parties, including other

municipalities (upper, lower or single-tier), indigenous communities, conservation authorities and municipal service agencies.

Under both streams, funding is to be used for capital investments in new commuter cycling infrastructure and enhancements to existing cycling infrastructure to better support commuting cyclists. It cannot be used to support low frequency or temporary cycling infrastructure. Recipients will be required to gather and submit data on the impact of their projects, including projected/actual users and GHG reductions due to the projects.

Subject to annual appropriation of funds by the Legislative Assembly of Ontario, the OMCC will be in place from May 30, 2017 to March 31, 2021.

Key Dates

Program launch	May 29, 2017
Application Forms Online	June 5 th 2017
2017 Deadline to declare participation	August 18, 2017
2017 Funding Announcement	September 25, 2017
2017 Funding Flow (after execution of an enabling By-law and a Transfer Payment Agreement)	September 29, 2017 onwards
2018 Deadline to declare participation	April 30, 2018 (to be confirmed)
2018 Funding Announcement	May 30, 2018 (to be confirmed)
2019 Deadline to declare participation	April 30, 2019 (to be confirmed)
2019 Funding Announcement	May 30, 2019 (to be confirmed)
2020 Deadline to declare participation	April 30, 2020 (to be confirmed)
2020 Funding Announcement	May 30, 2020 (to be confirmed)
Project Completion Deadline	December 30, 2020
Deadline for Final Report Submission/ Program End	March 31, 2021

Program Details

1. Eligible Funding Recipients

All Ontario municipalities are eligible for OMCC funding. Municipalities must declare their commitment to participate in OMCC annually. A municipality can choose to participate in OMCC in any or all of the program years. A decision to participate or not participate in any given year of the program will neither oblige nor prevent a municipality from participating in future years.

Other organizations (e.g., indigenous communities and/or organizations, conservation authorities, school boards, service agencies) can be partners with a municipality on eligible projects but are not eligible to receive OMCC funding. Municipalities can also pool OMCC funds to work on joint, eligible projects.

There are two funding streams: one for municipalities with a population of 15,000 or greater and one for municipalities with a population less than 15,000.

2. Eligible Projects

As OMCC is supported by proceeds from Ontario's cap and trade program, only eligible cycling infrastructure projects that improve or support commuter cycling are eligible for OMCC funding. Funding can be applied to both new commuter cycling infrastructure and to enhancements to existing cycling infrastructure to better support commuting cyclists. The only non-infrastructure eligible project is the development of a new cycling plan for municipalities that do not have a current, council approved cycling plan.

Municipalities must submit a list of commuter cycling capital projects, including anticipated eligible project costs, that they could implement using OMCC funds. Municipalities may submit one or many projects for funding consideration at their discretion. Municipalities may also nominate more projects for funding than their funding allocation, which the province would look to should there be underspending of funds in other areas. The Ministry will not approve funding for individual projects but will approve a list of eligible projects for each participating municipality. The annual allocation for each municipality is dependent upon the number of participating municipalities. Municipalities can submit a request to update the approved project list semi-annually in the second, third and fourth funding years. For the first funding year, participating municipalities may request an update to the approved project list in January, 2018.

Municipalities will select which projects they wish to implement and apply OMCC funding from the list; OMCC funds can only be used for projects on the approved OMCC project list.

All projects that use OMCC funds must be completed by December 30, 2020. Unused OMCC funding must be returned by January 15, 2021. Final reports on all funded and completed OMCC projects must be submitted to the Ministry by March 31, 2021.

a. Council-Approved Cycling Plans

To use OMCC funds to support implementation of a project on the approved OMCC project list, municipalities with a population of 15,000 or more must have a current, council-approved:

- cycling plan; or,
- active transportation plan that incorporates cycling; or
- transportation plan that incorporates cycling; or,
- authority to participate in another municipality's council-approved cycling plan, active transportation plan or other transportation plan (e.g. a lower-tier municipality adhering to an upper-tier municipality's cycling plan).

Municipalities with a population of 15,000 or more must provide a copy of the approved plan or provide a link to an approved plan as part of the application process. OMCC funding can be used to support the development of a cycling plan.

If a municipality with a population of 15,000 or more does not have a council approved cycling plan, they must first develop and secure council approval for a cycling plan prior to being able to use OMCC funding to implement eligible commuter cycling projects.

- Municipalities that do not have council-approved plans must commit to developing/approving a cycling plan to receiving OMCC funding for infrastructure projects.
- Such municipalities are eligible for their full allocation in the first year they apply and will be eligible for their full allocations in future years of the program.
- However, these municipalities must provide proof of completing and approving their cycling plan to the Ministry, prior to submitting a project list and using OMCC funds for commuter cycling projects on their approved eligible commuter cycling project list.

Municipalities with a population of less than 15,000 do not have to have a current, council approved cycling plan to be eligible to apply for and use OMCC funding. They can however use OMCC funds to develop a cycling plan should they wish to do so.

b. Commuter Cycling Infrastructure Projects

In recognition of the diverse needs of cyclists across Ontario municipalities, OMCC funding can be applied to a wide variety of commuter cycling

infrastructure types. Municipalities can apply OMCC funding to multiple eligible projects.

Projects must be consistent with the requirements in the *Ontario Traffic Manual – Book 18 – Cycling Facilities* (OTM Book 18). OTM Book 18 contains information on legal requirements, standards, best practices, procedures, guidelines and recommendations for the justification, planning, design, timing and operation of bicycle facilities and control measures.

The following are examples of eligible on-road cycling infrastructure projects, provided they support commuter cycling, are context appropriate and support vehicle trip reduction:

- Shared roadway with signed bicycle route;
- Signed bicycle route with paved shoulder;
- Conventional bicycle lane;
- Contraflow bicycle lane;
- Separated bicycle lane (with painted buffer or physical barrier);
- Raised cycle track;
- Bicycle priority street;
- Construction/modification of bridges, tunnels and access ramps for cycling;
- Bike specific signage, signalling and pavement markings;
- Multi-use path;
- Bicycle-only facility;
- Intersection modification; and,
- Bike racks or other bike storage.

Projects may be a component of a larger infrastructure project or stand-alone. Municipalities may use OMCC funding for municipal commuter cycling projects that cross provincial transportation infrastructure, (i.e., provincial right of way such as a highway or bridge). Such projects will require additional provincial approvals prior to use of OMCC funds.

The aforementioned examples are illustrative only; projects eligible for OMCC funding for each municipality will be determined by the Ministry at its sole discretion.

3. Ineligible Projects

Projects that are not eligible for OMCC funding include (but are not limited to) ones that:

- Support low frequency cycling;
- support cycling infrastructure whose primary purpose is recreational or tourism;
- cannot be completed by December 30, 2020;
- are not on the Ministry approved list of projects for a participating municipality;
- primarily support other modes of transportation (walking, driving, etc.);

- are solely land acquisition;
- are completed or under construction;
- are fully funded by a commitment from another party;
- do not support commuter cycling;
- provide parking for motor vehicles;
- provide end-of-trip facilities such as washrooms or parking;
- involve operation and maintenance;
- are focused on cycling promotion or research; and,
- are ineligible as determined by the Ministry, in its sole discretion, from time to time.

Project in-eligibility under the OMCC will be determined at the sole discretion of the Ministry.

4. Partnerships

Eligible projects can involve partnerships with third parties related to funding, maintenance, etc.

Partnerships can involve another municipality, the federal government, an indigenous community or organization, a business, a non-government organization, a service organization, a school board, a conservation authority or others. However, participating municipalities may not use other provincial funding for an OMCC funded project.

Partnerships amongst upper, lower and single tier municipalities to pool OMCC funding on joint eligible projects are encouraged.

Working together can reduce administrative costs, draw on collective resources and expertise, and allow for strategic planning and innovation across a broader geographic area.

Partnerships must be executed prior to the project construction start.

5. Land Ownership

Municipalities must either own the land where infrastructure receiving OMCC funding is to be located or, prior to the start of construction for each project, have in hand an executed, legally binding agreement with the land owner to allow the municipality to use the land for the commuter cycling infrastructure project (construction, operation and maintenance) for a minimum of five years.

Municipalities will have to warrant that such agreements have been executed.

6. Project Approvals

The Ministry's role in the OMCC is primarily to make financial contributions. The Ministry will not approve specific projects. The Ministry will annually approve the list of potential eligible projects that a participating municipality submits as part of the annual application process for OMCC funding.

The Ministry will provide a Ministry approved project list (to which OMCC funding may be applied) for each participating municipality when the Ministry provides its annual OMCC allocation. Municipalities can submit additional projects for consideration to the Ministry semi-annually as noted previously.

Whether or not to proceed with a specific project on the list of approved projects, and how the OMCC funding will be allocated amongst the identified, eligible projects, will be left to the discretion of the municipality, as long as the terms of the Transfer Payment Agreement are adhered to.

The Ministry will not approve or be responsible for the design of commuter cycling infrastructure projects it supports through OMCC funding. Ontario municipalities have full jurisdiction over their roadways and are responsible for the design, operation, maintenance and traffic control devices on their facilities.

All regulatory approvals must be obtained on a project by project basis by the municipality prior to using OMCC funding.

The Crown, including the Government of Ontario, has a legal duty to consult with Aboriginal communities when it has knowledge of an existing or asserted Aboriginal or treaty right and contemplates conduct that may adversely impact that right. Before deciding whether to provide funding for a project, the Ministry will need to assess whether the Crown has a duty to consult for that project. If the Crown has a duty to consult, the applicants may be required to carry out procedural aspects of the consultation and provide related resources (human and financial).

Reporting and Municipal Obligations

Municipalities will be responsible for ensuring that OMCC funded project(s) are carried out in accordance with the terms and conditions set out in this program guide and the Transfer Payment Agreement (TPA). If there are conflicts, the TPA will prevail. Failure to do so could result in a recovery of all funding by the Province.

1. Reporting Requirements

Reporting requirements will be specified in the TPA but generally this will include an:

- annual financial report of OMCC funding expenditures;
- annual construction report until all projects are completed;
- post-construction project performance data about usage and GHG reductions, beginning at least 1 year and no more than 2 years after project completion; and
- final report.

Failure to provide the required reports will result in either a delay or suspension of project funding. Failure to provide post-construction performance data could result in a recovery of project funds by the Province.

Municipalities must demonstrate usage impacts and GHG reduction benefits for each project for which OMCC funding was received. To this end, counts of cyclists using the current infrastructure will be required for each project, where applicable. (A count would not be required in a location where cycling is not currently permitted, such as an abandoned rail corridor.)

Post-construction data about cyclist use of the new infrastructure will also be required. The method of collecting these data (e.g. intercept surveys) will be specified in the TPA and may vary depending on project characteristics.

2. Audit

A municipality receiving dedicated OMCC funds may be subject to audit. The Ministry may, at its sole discretion, audit or have audited by any third party, any records and documentation of the municipality related to the program.

Such audit may permit the Ministry, at the municipality's expense, to retain external auditors. In addition, the Auditor General may, pursuant to the *Auditor General Act*, R.S.O. 1990, c. A. 35, as amended, audit the accounts and records of the municipality relating to any expenditure of dedicated OMCC funds.

3. Pre-construction Performance Data

For each funded project, municipalities will have to provide a pre-construction count of cyclists using current infrastructure, where applicable.

At a minimum, two 2-hour counts will be required: one on a Tuesday, Wednesday or Thursday between 5 and 7 p.m., and the other on the previous or following Saturday between noon and 2 p.m. To enhance comparability of the data submitted, municipalities will be required to report the dates on which the counts were conducted as well as the weather conditions at the time. Please refer to the [Pre-Construction Survey Form](#) on the Grants Ontario website to help obtaining information.

Further information on counting cyclists can be accessed from the website from the *National Bicycle and Pedestrian Documentation Project* and from the National Cooperative Highway Research Program report *Methods and Technologies for Pedestrian and Bicycle Volume Data Collection*.

Municipalities will also be required to provide information on the potential usage of the infrastructure, such as how many people live or work within 5 km of the project, and what major trip origins and destinations would be connected by the project.

If available, municipalities should provide data regarding anticipated shifts from other routes and other modes, and anticipated trips to be generated due to the funded project.

4. Post-construction Performance Data

The minimum post-construction data will be specified in the TPA and may include, data gathered through counts, intercept surveys or other means. Requirements may vary according to project characteristics. Applicants are urged to include costs for data collection when estimating their project budgets.

Participation Declaration

Municipalities must declare their interest in participating in the OMMC annually by completing and submitting an application form to the Ministry. There are different requirements for each funding stream.

A municipality does not have to participate in OMCC for every year of the program. A municipality can choose to participate in OMCC in any or all of the program years. A decision to participate or not participate in any given year of the program will neither oblige nor prevent a municipality from participating in future years.

Other organizations (e.g., indigenous communities and/or organizations, conservation authorities, school boards, service agencies) can be partners with a municipality on eligible projects but are not eligible to receive OMCC funding. Municipalities can also pool OMCC funds to work on joint, eligible projects.

Municipalities must also update their project list annually and declare that the projects are compliant with program requirements.

1. Application Forms

All municipalities must complete the Application Form located on the Grants Ontario website and submit it to the Ministry by the date noted in the “Key Dates” section of this Guide.

Municipalities will be required to provide the following information through the application process:

- descriptions of the potential projects (e.g. description of work that could be undertaken);
- information on the demand for each proposed project (e.g., number of residents and jobs within a catchment area, potential facility use);
- anticipated dates for each potential project’s milestones (design completion, project award, substantial completion and project completion);
- details of how each project aligns with the OMCC program objectives;
- map of potential projects; and,
- funding needs for each proposed project.

2. How to Submit an Application

- Click on the link Ontario Municipal Commuter Cycling (OMCC) Program Application located at Grants Ontario.
- Complete the application form. Make sure you complete the required attachment.

- For technical assistance, please contact Grants Ontario Customer Service at 416-325-6691 or 1-855-216-3090 or GrantsOntarioCS@Ontario.ca Monday to Friday from 8:30 a.m. to 5:00 p.m. Eastern Standard Time. TTY/Teletypewriter (for the hearing impaired): 416-325-3408 / Toll-free: 1-800-268-7095.

If you have questions about the program, you please email the Ministry at cycling@ontario.ca or connect by mail at:

Ministry of Transportation
Ontario Municipal Commuter Cycling Program
777 Bay Street, 30th Floor
Toronto, Ontario
M7A 2J8

3. Project Readiness

Projects that are not yet ready for implementation are still eligible for OMCC funding (see Funding section for more details).

For a project to be eligible for OMCC funding, it must be completed by December 30, 2020.

Funding Details

1. OMCC Program Funding

OMCC is a four year, program with two funding streams. OMCC funding is provided for a maximum of 80% of the total eligible capital cost of eligible projects. Funding to individual municipalities is dependent on the number of participating municipalities. The Ministry may, at its discretion, provide accelerated funding to a municipality based upon the eligible project list and project timelines; however this will not increase the total funding eligible to that municipality over the 4-year period of the program.

The first funding stream is for municipalities with populations of 15,000 or greater. There will be \$40.5 M in funding for the first funding year under this stream.

For municipalities with populations of less than 15,000, there is a total of \$2M in funding available in the first funding year, with up to \$25,000 being available per municipality. Funding for this stream will be provided on a first-come-first-served basis. However, should all funding for the small municipality stream not be subscribed to by the date noted in the “Key Dates” section of this Guide, the remaining funding allocation under this stream will be added to the allocation for the medium to large municipalities stream.

There may be additional funding available for future years for both streams. Funding allocations for future years will be determined based on availability of cap and trade proceeds.

Population and commuter ridership numbers are based upon the 2011 Census.

2. Annual Funding

Funding will be flowed directly to participating municipalities on an annual basis. Funding may be flowed in a lump sum or through a funding schedule, as identified in each municipality’s Transfer Payment Agreement. The Ministry may, at its discretion, provide accelerated funding to a municipality based upon the eligible project list and project timelines; however this will not increase the total funding eligible to that municipality over the 4-year period of the program.

Participating municipalities will be notified annually as per the Key Dates about their funding allocation for that fiscal year.

Municipalities must declare their interest in participating annually by the declaration date noted in the “Key Dates” section of this Guide.

A municipality does not have to participate in OMCC for every year of the program. A municipality can choose to participate in OMCC in any or all of the program years.

A decision to participate or not participate in any given year of the program will neither oblige nor prevent a municipality from participating in future years.

Prior to receiving funding in the first year of participation, a municipality must execute a Transfer Payment Agreement (TPA) with the Ministry. Municipalities must also pass an enabling bylaw and provide a copy of the passed bylaw to the Ministry on an annual basis to participate in the program.

OMCC provides capital funding. It does not provide funding for maintenance or operational costs.

Municipalities must contribute a minimum of twenty percent of the total capital cost of implementing each eligible commuter cycling infrastructure project to be eligible for OMCC funding. Municipalities must also confirm that they are not using any other provincial funding to support eligible costs towards the implementation of OMCC projects.

3. OMCC Funding Streams

1. Municipalities with a Population of 15,000 or Greater

Municipalities will be directly funded using an allocation formula based on a combination of commuter cyclists and population. The formula balances the needs of large established cycling communities and the growth needs of rapidly growing municipalities. The Ministry may, at its discretion, provide accelerated funding to a municipality based upon the eligible project list and project timelines; however this will not increase the total funding eligible to that municipality over the 4-year period of the program.

- As larger municipalities have a greater potential for high volume commuter cycling due to their higher population densities, these municipalities will be funded for up to 80% of eligible capital costs using a formula-based funding structure as follows:

<u>Base Funding:</u> \$25,000 for each participating municipality	+	<u>Population-based Funding:</u> 70% of the remaining allocation based on municipal population.*	+	<u>Cyclist-based Funding:</u> 30% of the remaining allocation based on the number of municipal commuting cyclists.*
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*Source: 2011 Census (Statistics Canada)

- Upper-tier and lower-tier municipalities are both eligible for OMCC funding but funding will be divided 50/50 between the two tiers if both tiers declare interest in participating in any given year.

- Funding will not be awarded to specific projects but a list of eligible projects will be approved. Municipalities will only be able to use OMCC funding on approved eligible projects.
- Participating municipalities must receive Ministry approval for their eligible project list and confirm funding needs annually (see Participation Declaration).
- Participating municipalities will be required to report annually on project expenditures and use of OMCC funds.
- If a municipality does not have a council-approved cycling plan or its proposed commuter cycling projects are not incorporated in a municipal council approved cycling plan, it must first develop and approve a cycling plan for their municipality prior to submitting a project list and using OMCC funding toward any project on its approved list of projects.
 - OMCC funding may be used to develop the cycling plan.

2. Municipalities with a Population of Less than 15,000

- This OMCC funding stream is for municipalities with a population of less than 15,000.
- The Ministry will provide up to 80% of the eligible costs to a maximum of \$25,000 per participating municipality.
- The Ministry will directly fund eligible commuter cycling capital projects.
- Municipalities will have to identify project(s) for consideration and funding needs by completing and submitting an application annually (see Participation Declaration).
- Municipalities in this funding stream are not required to have a current council-approved cycling plan to be eligible. However, funding can be used to develop a cycling plan should the municipality wish to do so.
- Funding will be allocated until the annual funding allocation is exhausted or until August 18, 2017 after which any remaining funds are included in the allocation for medium and large municipalities.

4. Eligible Costs

OMCC provides up to 80% of the eligible of capital costs towards the implementation of projects on the approved eligible projects list. OMCC provides only capital

funding and does not provide funding for planning (other than development of cycling plans), maintenance or operational costs.

Municipalities must contribute a minimum of 20% of the capital cost of implementing each eligible commuter cycling infrastructure project. Municipalities must also confirm that they are not using any other provincial funding to support eligible costs towards the implementation of OMCC projects.

All projects costs must be incurred after May 30, 2017 and prior to December 30, 2020. All projects must be completed by December 30, 2020.

Eligible project costs include costs that support:

- planning costs to develop a cycling plan for municipalities that do not already have a current, council-approved plan;
- design/engineering;
- project management;
- construction materials; and,
- construction.

A detailed list of eligible costs will be outlined in the Transfer Payment Agreement between the Ministry and each participating municipality.

A municipality receiving dedicated OMCC funds must ensure that all funds received and any related interest are used exclusively towards eligible expenditures for projects on the approved project list. Each municipality will determine which of the projects on the approved project list it will implement and fund with OMCC funding.

5. Ineligible Costs

OMCC provides capital funding and does not provide funding for planning, maintenance or operations costs. Funding is provided for planning costs only for municipalities that do not already have a current, council-approved plan.

Municipalities must contribute a minimum of 20% percent of the capital cost of implementing each eligible commuter cycling infrastructure project. Municipalities must also confirm that they are not using any other provincial funding to support eligible costs towards the implementation of OMCC projects.

Ineligible project costs include but are not limited to:

- Eligible projects costs in excess of 80% of the total eligible project cost;
- property acquisition and lease costs;
- landscaping;
- education and marketing;
- sidewalks and other pedestrian needs;
- end of route facilities like showers, shelters and benches;

- environmental assessments and other approvals;
- administration and overhead;
- planning, maintenance and operational costs;
- legal costs; and,
- finance costs.

This list is not exhaustive. A detailed list of ineligible costs will be outlined in the TPA to be entered into between the Ministry and each participating municipality.

6. Minimum Municipal Contribution

The municipality must contribute at least 20% of the total eligible project costs for each project. Municipalities must also confirm that they are not using any other provincial funding to support eligible costs towards the implementation of OMCC projects. Provincial funding is limited to 80% of eligible costs.

Municipalities are responsible for any budget overruns.

7. Funding From Other Sources

A participating municipality receiving OMCC funding must report on any other financial contribution it receives from a third party including other levels of government and government agencies other than OMCC to support eligible project costs. The municipality may not use other provincial funding.

8. Annual Payment Process

The Ministry will advise each municipality participating in OMCC of the amount of dedicated OMCC funds it is eligible to receive.

The Ministry will send a Transfer Payment Agreement (TPA) to each of these municipalities the first year it is participating in the program. The TPA will set out the terms and conditions upon which the dedicated OMCC funds will be released to the municipality, and by which the municipality will have to agree to be bound. In each subsequent year, the Ministry will provide a letter of agreement outlining that year's OMCC funding.

In addition, the Ministry may withhold payment of dedicated OMCC funds until reporting requirements are met for the previous year.

9. Requirements for All OMCC Funds Received in 2017 and Beyond

All funds must be deposited into a dedicated account.

Funding that is not used in one funding year can be carried over to be used in subsequent funding years provided all projects are completed by December 30, 2020. Interest earned must be reported annually.

Funding will be flowed to a participating municipality annually once it provides the Ministry with a copy of the enabling by-law.

Unused funds must be returned to the Ministry by January 15, 2021.

10. Dedicated OMCC Funds Reserve Account

Dedicated OMCC funds may be used only towards approved eligible expenditures for commuter cycling infrastructure projects on the approved project list.

If the Ministry provides funds to a municipality before the municipality's immediate need for the funds, the municipality will be required to keep the funds, and all interest earned on such funds, in a dedicated OMCC funds reserve account.

Dedicated OMCC funds received, and any related interest earned on such funds, must be reported annually, using the reporting forms in the TPA.

11. Interest

Interest must accrue on funds carried over the course of the program reporting period in a dedicated OMCC funds reserve account. A municipality must calculate interest on its average annual balance of funds. The interest must also be reported annually and can only be applied towards eligible expenditures and approved projects.

12. Enabling By-law

Prior to entering into the TPA, the municipality will be required to provide the Ministry with copies of an enabling municipal by-law that:

- permits the municipality to enter into an agreement;
- commits the municipal share of funding;
- designates signing officers for and authorizing the execution of the Agreement, certificates of insurance or any other documentation requested by the Ministry;
- includes the list of eligible projects; and,
- complies with OMCC program requirements.

Guidance on the by-law requirements can be found on the Grants Ontario website at the following link ().

Contact Information

Technical Assistance:

- Grants Ontario Customer Service at 416-325-6691 or 1-855-216-3090 or GrantsOntarioCS@Ontario.ca on Monday to Friday from 8:30 a.m. to 5:00 p.m. Eastern Standard Time.
- TTY/Teletypewriter (for the hearing impaired): 416-325-3408 / Toll-free: 1-800-268-7095.

Website: www.grants.gov.on.ca

Email: cycling@ontario.ca

Mail:

Ontario Municipal Commuter Cycling Program (OMCC)
c/o Sustainable & Innovative Transportation Office
Transportation Policy Branch
Ministry of Transportation
777 Bay Street, Suite 3000
Toronto ON
M7A 2J8

Appendix A: Definitions

When used in this guide, the words set out below that import the singular include the plural and vice versa:

“Application” means an application submitted by an Applicant in accordance with the terms and conditions set out in this Guide.

“Approved OMCC Project List and Approved list” means the list of eligible OMCC projects approved by the Ministry as eligible for OMCC Funding and identified in the Application and the Transfer payment Agreement executed between the Ministry and the Recipient.

“Commuter Cycling” means cycling to support daily or frequent cycling to and from workplaces, schools, businesses and major retail locations that support motor vehicle trip reductions.

“Eligible Cost” means an expenditure that is eligible for OMCC program funding.

“Guide” means this guide entitled “Ontario Municipal Climate Change Cycling (OMCC) Program Guide”.

“Ineligible Cost” means an expenditure that is ineligible for OMCC program funding.

“Ministry” and “Minister”, respectively, mean the Ministry of Transportation which is responsible for the administration of the OMCC and the Minister responsible for the Ministry.

“OMCC Funding” means the money the Ministry provides to a municipality pursuant to an Agreement to be used strictly towards Eligible Costs for an approved OMCCC project and in accordance with and as set out in the Agreement; Funds has the same meaning;

“OMCC Funds Reserve Account” means an interest bearing account set up by a municipality receiving OMCC Funding, under the same name of the municipality and in a Canadian financial institution, where OMCC Funds are deposited and tracked separately from any other funds.

“OMCC” means the Ontario Municipal Commuter Cycling program established by the Ministry to provide municipalities with OMCC Funds.

“OMCC Projects” means the projects described in the annual declaration application for OMCC Funding, including any changes to the project(s) on the Approved Project List which has received the prior written approval of the Ministry.

“TPA” means a transfer payment agreement entered into between the Ministry and a municipality that sets out the terms and conditions under which the Ministry agrees to provide OMCCP funding to the municipality, and includes any amending agreement entered into pursuant to the agreement.