

July 4, 2016

Applicant name
Applicant address

Dear:

Re: Your request for access to information under Part 2 of *The Freedom of Information and Protection of Privacy Act*: Application 2016-10

On May 5, 2016, Indigenous and Municipal Relations received your request for access to the following records:

"All materials provided to the current Minister of Indigenous and Municipal Relations, since the most recent provincial election, including but not limited to: advisory and briefing notes, house books and house preparation materials related to the transition of government."

On May 18, 2016, the Information and Privacy Policy Secretariat confirmed that your request would be satisfied if departments could provide the following:

"The transition binder prepared by the department and provided to a new Minister upon appointment that describes the department structure, responsibilities, priorities and critical issues, as well as any advisory notes, briefing notes or other materials provided to the minister by the date of the access request."

Following, on June 3, 2016, the Information and Privacy Policy Secretariat advised you on behalf of all departments that a 30 day extension of time was required as allowed under Section 15(1)(b) and (c) of the Act.

At this time, I am pleased to advise that access to the records you requested has been granted in part and those records are enclosed. Access to the remaining records is refused as these records contain information that fall within the following exceptions to disclosure in *The Freedom of Information and Protection of Privacy Act*:

Privacy of a third party

17(1) The head of a public body shall refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party's privacy.

17(2) A disclosure of personal information about a third party is deemed to be an unreasonable invasion of the third party's privacy if

- (c) disclosure could reasonably be expected to reveal the identity of a third party who has provided information in confidence to a public body for the purposes of law enforcement or the administration of an enactment;*
- (e) the personal information relates to the third party's employment, occupational or educational history;*
- (g) the personal information describes a third party's source of income or financial circumstances, activities or history.*
- (h) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations; or*

17(3) In determining under subsection (1) whether a disclosure of personal information not described in subsection (2) would unreasonably invade a third party's privacy, the head of a public body shall consider all the relevant circumstances including, but not limited to, whether

- (d) the disclosure may unfairly expose the third party to harm;*

Some of the documents provided in response to your request contain personal information of a third party as described above. This personal information has been removed as disclosure would be an unreasonable invasion of their privacy.

Business Interests Of Third Parties

18(1) The head of a public body shall refuse to disclose to an applicant information that would reveal

- (b) commercial, financial, labour relations, scientific or technical information supplied to the public body by a third party, explicitly or implicitly, on a confidential basis and treated consistently as confidential information by the third party; or*
- (c) commercial, financial, labour relations, scientific or technical information the disclosure of which could reasonably be expected to*
 - (ii) interfere with contractual or other negotiations of a third party*

Some of the records that have fallen within the scope of your request contain information relating to third party business interests. Disclosure of this information could interfere with contractual or other negotiations or result in a gain or loss to the third party's business. Furthermore, these records may reveal commercial and/or financial information which was provided in confidence.

Cabinet confidences

19(1) The head of a public body shall refuse to disclose to an applicant information that would reveal the substance of deliberations of Cabinet, including:

- (a) an agenda, minute or other record of the deliberations or decisions of Cabinet;*
- (b) discussion papers, policy analyses, proposals, advice or similar briefing material submitted or prepared for submission to Cabinet;*
- (c) a proposal or recommendation prepared for, or reviewed and approved by, a minister for submission to Cabinet;*

- (e) *a record prepared to brief a minister about a matter that is before, or is proposed to be brought before, Cabinet or that is the subject of communications among ministers relating directly to government decisions or the formulation of government policy.*

A number of records falling within the scope of your request are subject to the mandatory exemptions afforded by Section 19(1)(a)(b)(c) and (e) as they are decisions or deliberations given by Cabinet, advice or similar briefing materials, proposals or recommendations prepared for Cabinet or records prepared to brief the Minister in relation to matters that are going before Cabinet.

Information provided by another government to department or government agency

20(1) The head of a department or government agency shall refuse to disclose information to an applicant if disclosure could reasonably be expected to reveal information provided, explicitly or implicitly, in confidence by any of the following or their agencies:

- (a) the Government of Canada;*
- (c) a local public body*
- (c.1) the council of a band as defined in the Indian Act (Canada), or an organization performing government functions on behalf of one or more bands*

Disclosure harmful to relations between Manitoba and other governments

21(1) The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to harm relations between the Government of Manitoba or a government agency and any of the following or their agencies:

- (a) the Government of Canada;*
- (c) a local public body*
- (c.1) the council of a band as defined in the Indian Act (Canada), or an organization performing government functions on behalf of one or more bands;*

Some of the records that fall within the scope of your request contain deliberations among officers of the Government of Manitoba and other governments, or the council of a band or an organization performing government functions on behalf of one or more bands, and have been held in strict confidence. Disclosure of those records could harm relations and current or future negotiations between the Province of Manitoba and these other agencies.

Advice to a public body

23(1) The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to reveal:

- (a) advice, opinions, proposals, recommendations, analyses or policy options developed by or for the public body or a minister;*
- (c) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the Government of Manitoba or the public body, or considerations that relate to those negotiations;*
- (f) information, including the proposed plans, policies or projects of a public body, the disclosure of which could reasonably be expected to result in disclosure of a pending policy or budgetary decision*

Subsection 23(1) is intended to encourage the provision of advice, opinions, analysis and recommendations and protects the free flow of discussions regarding options that may be used in the course of negotiations, pending policy or budgetary decisions. Some information contained in the documents responsive to your request has been removed because of this purpose.

Disclosure harmful to law enforcement or legal proceedings

25(1) The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to

(n) be injurious to the conduct of existing or anticipated legal proceedings.

Some of the documents responsive to your request contain information which may be sensitive to potential litigation or current settlement attempts that are currently in process of review and have therefore been withheld.

Disclosure harmful to economic and other interests of a public body

28(1) The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to harm the economic or financial interests or negotiating position of a public body or the Government of Manitoba, including the following information:

(b) financial, commercial, scientific, technical or other information in which a public body or the Government of Manitoba has a proprietary interest or right of use;

(c) information the disclosure of which could reasonably be expected to:

(ii) prejudice the competitive position of, or

(iii) interfere with or prejudice contractual or other negotiations of,

a public body or the Government of Manitoba;

The information withheld is considered sensitive financial information, the disclosure of which would reasonably be expected to harm the competitive and negotiating position of the Government of Manitoba or another public body.

It should be noted that Sections 17(1), (2), (3), 18(1), 19(1) and 20(1) are mandatory exceptions and as such I have no discretion to disclose the records.

As required by subsection 7(2) of the Act, we have severed information that is excepted from disclosure and have provided you with as much information as possible. Additionally, information contained in this response which falls outside the scope of your request, has been removed.

In the interest of the Manitoba Government's commitment to openness and transparency, this response letter along with the responsive records will be made available on our proactive disclosure website. Any personal or other confidential information belonging to you or a third party will be removed prior to disclosure.

Subsection 59(1) of *The Freedom of Information and Protection of Privacy Act* provides that you may make a complaint about this decision to the Manitoba Ombudsman. You have 60 days from the receipt of this letter to make a complaint on the prescribed form to:

Manitoba Ombudsman
750 – 500 Portage Avenue
Winnipeg MB R3C 3X1
204-982-9130
1-800-665-0531

If you have any questions please contact, Angie Redmond, Access and Privacy Coordinator for Municipal Relations, at 204-945-1856, or Celia Lima, Access and Privacy Coordinator for Indigenous Relations at 204-677-6812.

Sincerely,

"Original signed by Brian Johnston"

Brian Johnston
Access and Privacy Officer
Indigenous and Municipal Relations
*Freedom of Information and
Protection of Privacy Act*

Enclosures

PROPOSED BRIEFING SCHEDULE

Municipal Relations within the Department of Indigenous and Municipal Relations anticipates an early opportunity to deliver a high level briefing presentation to the Minister, Premier and key staff on the department's organizational structure, key responsibilities, and corporate priorities. The briefing will also provide an overview of the broad policy pressures facing the department, a financial overview, and a review of the legislative framework under which the department operates. Following the initial briefing, divisional and topic specific briefings will be arranged in person or in writing. Material will be made available for this purpose.

In addition to this briefing package, the department has comprehensive and regularly updated briefing materials for routine events throughout the year, including the Association of Manitoba Municipalities Annual Convention, June District meetings, and House sessions.

ORGANIZATION

Department Responsibilities

In support of municipalities across Manitoba, Municipal Relations delivers training, advice, and funding related to local governance capacity, planning, assessment, community revitalization, and infrastructure.

In addition to these core functions, the Department is responsible for several Boards and Committees, including the Taxicab Board, the Manitoba Water Services Board, and the Municipal Board. Municipal Relations is also responsible for recreation and regional services, community development, rural economic development initiatives, infrastructure grants, and partners for growth.

Organizational Structure

The Department consists of three divisions, one secretariat and several boards. These areas are led and supported by Executive Support, which is housed within Administration and Finance Division.

Administration and Finance Division:

This division provides executive planning, management and control of departmental policies and programs. It also delivers the comptrollership function and central management services, including financial and administrative services, and budget review. Support for the Minister's Office and the Westman Regional Cabinet Office is also housed within the Administration and Finance Division.

Key Personnel:

Fred Meier, Deputy Minister, Municipal Relations

Craig Halwachs, Assistant Deputy Minister, Shared Services

Brian Johnston, Director of Finance and Administration

Community Planning and Development Division

The Community and Regional Planning Division provides regionally based community planning and development services in eight regional offices. This includes approval of subdivisions, development plan approvals and amendments, general outreach to planning districts, and administration of the Livestock Technical Review Committee and the Special Planning Area for the Inland Port. The Planning, Policy and Programs branch administers the Urban Development Initiatives fund, the Community Revitalization fund, the Building Communities Initiative, the Shoal Lake intergovernmental agreement and develops and amends the provincial planning legislation and policy recommendations related to land use and community development.

Key personnel:

Ramona Mattix, Assistant Deputy Minister, Community Planning and Development

David Neufeld, Director, Community and Regional Planning

Leita Kalinowsky, Director, Policy and Programs

Provincial Municipal Support Services Division

The Provincial Municipal Support Services Division (PMSS) builds municipal capacity to ensure effective, efficient and accountable local governments that are positioned for long-term sustainability. The Division establishes and maintains a relevant and enabling policy and legislative framework for municipalities in the Province, and delivers comprehensive funding support to all 137 Manitoba municipalities in support of their initiatives and services. PMSS also delivers support to elected and non-elected municipal officials to build governance, operational and financial capacity, and frequently acts as a liaison between other government departments and municipalities.

PMSS is also responsible for managing the Building Manitoba Fund (BMF), which is Manitoba's tax sharing program for providing a share of provincial tax revenues to municipalities across Manitoba for roads, transit and other infrastructure priorities. The annual amount credited to the BMF each year is equivalent to the greater of 1/7th of provincial sales tax revenues, or 4.15% of estimated provincial personal and corporate income tax revenues, 2 cents per litre of estimated provincial gasoline tax revenues, and 1 cent per litre of estimated provincial diesel fuel tax revenues. This amount is set in legislation under the *The Municipal Taxation and Funding Act*.

PMSS also delivers property assessment services and is responsible for property tax policy. Assessment services are delivered to municipalities outside Winnipeg, including producing assessment notices and property tax statements. Information technology support is also provided for all Departmental programs and services.

Key personnel:

Laurie Davidson – Assistant Deputy Minister, Provincial/Municipal Support Services

Lloyd Funk, Provincial-Municipal Assessor (Director, Assessment Services)

Debbie Champagne, Director, Information Systems

Mike Sosiak, Director, Municipal Finance and Advisory Services

The Canada-Manitoba Infrastructure Secretariat

The Canada-Manitoba Infrastructure Secretariat provides central agency implementation and administrative support in the delivery of intergovernmental and non-governmental infrastructure and economic development funding initiatives. These initiatives include, but are not limited to, the Canada-Manitoba Building Canada Plan, the Winnipeg Community Infrastructure Program, the Gas Tax Program, and the New Building Canada Fund.

Key personnel:

Karlene Debance, Executive Director, Canada-Manitoba Infrastructure Secretariat

Barb Harrison, Director, Infrastructure Programs

Tara Pratt, Director, Economic Development Programs

The Manitoba Water Services Board

The mandate of the Manitoba Water Services Board is to assist municipalities with the development of sustainable water and sewer infrastructure including: water supply, treatment, storage and distribution; collection and treatment of sewage; disposal of treated effluent and waste sludge in an environmentally sustainable manner; provision of drought resistant, safe water supplies to rural residents for domestic and livestock needs; provides field resources to deliver technical advice/information to develop and upgrade sewer and water infrastructure. The Board also provides operating and capital financial assistance in support of local governments.

Key personnel: **Dave Shwaluk**, General Manager

The Municipal Board

The Municipal Board reviews and renders decisions on municipal borrowing, assessment, planning and other matters as required by statute. It provides administrative support to the Land Value Appraisal Commission and the Disaster Assistance Appeal Board.

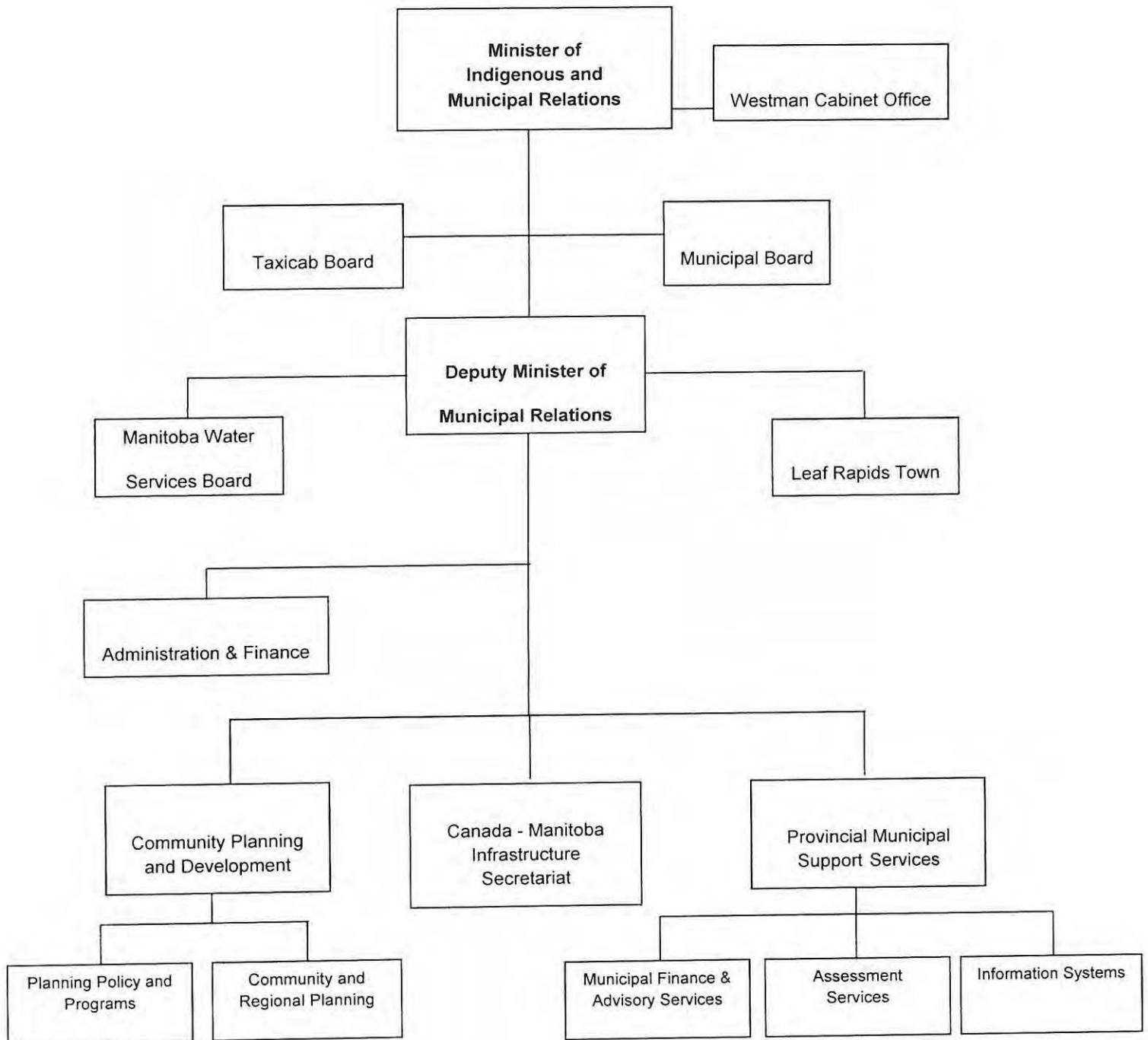
Key personnel: **Rose Gibbons**, Secretary to the Board, Municipal Board

The Taxicab Board




The Taxicab Board licenses and regulates all taxicabs including limousines and handicab vans within the City of Winnipeg. It conducts enforcement of the regulations which enhance public, passenger and driver safety.

Key personnel: **Shelly Ferens**, Secretary to the Board, Taxicab Board

Organization Chart



Strategic Priorities

1. **Building Manitoba Fund (BMF)** – The BMF is a legislated municipal infrastructure fund under *The Municipal Taxation and Funding Act*. It is currently fully allocated, experiencing cash flow pressures in future years, and facing a projected shortfall of over \$160 million by 2020. Provincial BMF funding commitments range from approvals-in-principle for projects still in the planning / design phase, up to projects already under construction.
2. **Call for increased Provincial Funding / New Revenues** – Winnipeg and the Association of Manitoba Municipalities (AMM) continue to request increased provincial funding, including new revenue sources. Currently, 1/7th share of PST is allocated for municipal infrastructure and transit - \$324.5. Municipalities have also called for a “Fair Say” in how infrastructure funds are spent. S23(1)(a)


3. **New Federal Transit, Green and Social Infrastructure Programs** – New federal programs will provide an additional \$11.9B nationally over the next five years towards shovel ready projects related to transit, green initiatives and social infrastructure. The department will need to work with the federal government on terms and conditions for rolling out this new funding. Previous federal programs have required matching provincial funding to access available federal funding, which would need to be considered going forward.
4. **Rural Water and Wastewater Deficit** – The water and wastewater infrastructure deficit in Manitoba is estimated at \$1.0B, of which \$600.0M is related to upgrading municipal wastewater systems to meet new nutrient reduction standards. In addition, *The Drinking Water Safety Act* requires all public water systems to achieve a higher water quality standard. The current annual level of investment in rural Manitoba is \$40.0M.
5. S. 23(1)(a)

6. **New Municipal Funding Programs** – The Province recently extended funding for municipal road, bridge, water/sewer and transit buses for 5 years (2016 – 2020) and announced new, five-year funding for rural recreation facilities and rural airports, which is expected to start in 2016. Funding for these programs cannot proceed without 2016 Budget approval.

7. **Municipality of West Interlake – Municipality of West Interlake** – A Citizen's group and Council are united in wanting to de-amalgamate but don't agree on the end result. On May 3, 2016, the Municipal Board heard a proposal to dissolve the municipality. At the hearing, the Board indicated that it would send a letter to all parties (Citizen's Group, Council and Province) strongly encouraging them to discuss and find a workable alternative with a deadline of September 30. At that time, the Citizen's Group could withdraw its proposal because a solution agreed to by all has been found, or the proposal can proceed to Hearing.
8. **Special Planning Area for the Inland Port** – The Province is a strategic partner in the development of CentrePort, a 20,000-acre inland port and Foreign Trade Zone adjacent to Winnipeg's James Armstrong Richardson International Airport. The department plays a key role in facilitating its development and is launching a Special Planning Area process in the Rosser portion of CentrePort to provide a single window planning and approval process for this area.
9. **Downtown Revitalization** – There are a number of provincially supported developments in downtown Winnipeg and downtown Brandon focused on economic and social benefits. Examples include the Sports, Hospitality and Entertainment District Initiative, True North Square and the Live Downtown Rental Development Grant Program in Winnipeg.
10. **Tax Increment Financing (TIF)** – *The Community Revitalization Tax Increment Financing Act* provides a way to support shared municipal and provincial priorities that focus on the revitalization of Winnipeg, Brandon and other Manitoba communities. Once an area is designated as a community revitalization property, the incremental property tax increases that results from development are placed into a separate fund to fund improvements in the same location. Several TIF supported initiatives currently exist, including Downtown Winnipeg condo and rental housing incentive programs, the Sports, Hospitality and Entertainment District Initiative, and Railside redevelopment at The Forks.

Financial Overview

S. 19(1)(b)(e)



Broad Policy or Financial Pressures

1. **S. 23(1)(a)**
[REDACTED] Most recently, the City of Winnipeg and AMM have called for a “Fair Share” of the PST – specifically a 1% point share of the PST for municipal infrastructure, over and above existing funding currently provided to municipalities.
2. **Increasing public expectations for more accountable and transparent and local governments**, as well as for greater access and involvement in local decision making. There is also increasing pressure from citizens, media, and other stakeholders to strengthen the accountability of Municipal Councils (e.g. Ethics / Integrity Commissioner) and support transparent decision-making. [REDACTED]
S. 23(1)(a)
[REDACTED]
3. **S. 23(1)(a)**
[REDACTED]
The Department delivers property assessment services to all municipalities outside Winnipeg, which involves updating property assessments based on market values, to ensure taxes are equitably distributed on the assessed value of properties. The Department is also responsible for tax policy and analysis, given property tax is a major source of municipal revenues.
4. **Aging infrastructure and changing regulations has resulted in** a water and wastewater infrastructure deficit in rural Manitoba is approximately \$1.0B of which \$500.0M to \$600.0M is directly related to upgrading municipal wastewater systems to meet new regulatory requirements.
5. **Municipalities and Planning districts have a continuous need for technical planning assistance provided by the department.** There is ongoing work with AMM, Office of Continuous Improvement, and other departments to identify ways to improve services delivered by the department.
6. **Administrative, financial operational, and land use decision making for Rosser CentrePort lands has begun related to the implementation of the CentrePort Special Planning Area.** The goal is to deliver expedited one-window review and approvals process for industrial and commercial land development proposals.

7. **The department responds to continuing pressure from landowners and municipalities to approve development in areas that have been heavily impacted by spring floods.** This includes areas around Lake Manitoba, the Red River Valley Designated Flood Protection Area, along Assiniboine River, Seine River, and other specific areas of the province.
8. **Winnipeg and Brandon have requested expanded development agreement authority in *The City of Winnipeg Charter* and *The Planning Act* to assist with recouping the costs associated with new development.** Both are consulting with their development communities and continue to press the Province for legislative changes.
9. **The Town of Leaf Rapids has experienced significant financial and administrative challenges in recent years.** The Province placed the affairs of the Town under supervision and appointed a Supervisor in May 2015. The Town has been under supervision for most of the current Council's tenure, [REDACTED] **S. 23(1)(a)** [REDACTED] The current contract for the Supervisor expires June 30, 2016 [REDACTED]
10. **Reassessment takes place every two years (2018), which includes undertaking extensive analysis of property sales, research and updating of construction costs, and regulatory amendments for properties assessed on the basis of statutory rates.** The Department also undertakes analysis of the tax impacts of reassessment and ensures that municipalities have the information and tools needed to address tax impacts on ratepayers.
11. **The federal government desires to refocus National and Regional projects under the New Building Canada Fund on trade corridors and gateways.** Manitoba has submitted a prioritized list of seven National Highway System projects to commit \$202.4M of Manitoba's \$420M federal allocation under the NRP.
12. **The Department assists municipalities in the Manitoba Capital Region in developing a regional growth strategy and addressing development pressures.** Key goals include directing new residential development to areas with full water and wastewater servicing and developing more compact communities, which ultimately results in more fiscally and environmentally sustainable development.

13. **The Department is working with Office of Continuous Improvement, other departments and key stakeholders such as Association of Manitoba Municipalities to streamline delivery of planning services.** This includes approvals of subdivisions, development plans or amendments, municipal road/public reserve closures, and zoning by-laws and amendments.
14. **The Taxicab Board is currently working on a review of Winnipeg Taxicab Services to inform decision-making on the modernization of regulations pertaining to taxicab services in Winnipeg.** Pressures to modernize taxicab regulations stem from the use of new technologies and the advent of transportation network companies, as well as concerns from Indigenous taxicab clients regarding discrimination, mistreatment, harassment and sexual assaults.

List of Community Contacts

Association of Manitoba Municipalities
CentreVenture Development Corporation
CentrePort Canada
City of Winnipeg
City of Brandon
Downtown Winnipeg Business Improvement Zone
Federation of Canadian Municipalities
Forks North Portage Partnership
Government of Canada
Manitoba Chamber of Commerce / Winnipeg Chamber of Commerce
Manitoba First Nations communities
Manitoba Municipal Administrators' Association
Manitoba Trucking Association
Municipal Councils across Manitoba / Manitoba Municipalities
Municipal Auditors across Manitoba
Northern Affairs Community Councils
Partnership of the Manitoba Capital Region
Planning Districts
The Property Registry
The Public Utilities Board
Renaissance Brandon
Shoal Lake First Nations No. 39 and No. 40
Water Cooperative Board of Directors
Winnipeg Airport Authority

Statutory Responsibilities of the Minister / Legal Framework

The Department delivers services and programs under the authority of the following Acts of the Consolidated Statutes of Manitoba (as per schedule "R", Order in Council 388/2013, as amended by Orders in Council 407/2013, 446/2013, 142/2014, 458/2014, 480/2014, and 150/2015):

- *The Capital Region Partnership Act*
- *The City of Winnipeg Charter (S.M. 2002, c.39)*
- *The Community Revitalization Tax Increment Financing Act*
- *The Local Government Districts Act*
- *The Municipal Act*
- *The Municipal Assessment Act*
- *The Municipal Affairs Administration Act*
- *The Municipal Amalgamations Act*
- *The Municipal Board Act*
- *The Municipal Councils and School Boards Elections Act*
- *An Act Respecting Debts Owing by Municipalities to School Districts*
- *The Municipal Taxation and Funding Act [Part 2]*
- *The Official Time Act*
- *The Planning Act [except Part 10]*
- *The Property Tax and Insulation Assistance Act [Part V, and section 1 and Part VI as they relate to subjects covered under Part V]*
- *The Regional Waste Management Authorities Act*
- *The Soldiers' Taxation Relief Act*
- *The Unconditional Grants Act*
- *The Manitoba Water Services Board Act*
- *The Taxicab Act*

Upcoming Scheduled Events

Manitoba Planning Conference – May 18-20, 2016 - Brandon

Minister has been requested to provide opening remarks. DM/ADM has provided opening remarks in the past on occasions where the Minister was not able to attend.

FCM Annual Conference – June 2-5, 2016

Minister has not typically attended these events in the past, although this year's event is held in Winnipeg.

AMM June District Meetings – June 9-22, 2016

Minister has been invited by the AMM to provide remarks at June District meetings in various communities across Manitoba.

P-T Ministers of Local Government Meeting – July 6-7, 2016 – Quebec City

Key Acronyms

AMM	Association of Manitoba Municipalities
ARM	Association of Rural Municipalities
BCF	Building Canada Fund
BCP	Building Canada Plan
BMF	Building Manitoba Fund
CAF	Community Adjustment Fund
CMIP	Canada-Manitoba Infrastructure Program
CMIS	Canada-Manitoba Infrastructure Secretariat
CSIF	Canada Strategic Infrastructure Fund
EDI	Economic Development Initiatives
EPA	Economic Partnership Agreement
FCM	Federation of Canadian Municipalities
GBCF	Gateways and Border Crossings Fund
GTF	Gas Tax Fund
ISF	Infrastructure Stimulus Fund
MBP	Municipal Bridge Program Component
MDTP	Mobility Disadvantaged Transportation Program
MOU	Memorandum of Understanding
MMAA	Manitoba Municipal Administrators' Association
MMO	Manitoba Municipalities Online
MRBP	Municipal Road and Bridge Program
MRIF	Canada-Manitoba Municipal Rural Infrastructure Fund
MRIP	Municipal Road Improvement Program Component
MFAS	Municipal Finance and Advisory Services

MSO	Municipal Services Officer
MWSB	Manitoba Water Services Board
NACC	Northern Association of Community Councils
NBCF	New Building Canada Fund
NIC	National Infrastructure Component
NRP	National and Regional Projects
PMSS	Provincial Municipal Support Services
PT Base	Building Canada Fund – Provincial/Territorial Base Funding
PTIC	Provincial-Territorial Infrastructure Component
PTOC	Provincial-Territorial Oversight Committee
PUB	Public Utilities Board
RInC	Recreation Infrastructure Canada Fund
RLIP	Manitoba–Winnipeg Recreation and Leisure Infrastructure Program
RM	Rural Municipality
ROC	Resolution of Council
SCF	Small Communities Fund
WCIP	Winnipeg Community Infrastructure Program
WTP	Water Treatment Plant
WWTP	Wastewater Treatment Plant

Additions to the Department

Recreation and Regional Services

Recreation and Regional Services supports the recreation delivery system at the local, regional and provincial levels. The Branch promotes recreation in order to improve individual well-being and foster the social and economic health of communities. The Branch also provides capacity-building, advisory and consultative support to local governments and community-based organizations to enhance leadership and management skills of recreation practitioners, and improve operating efficiencies of recreation facilities.

The Branch has one office in Winnipeg and seven regional offices located in six regions across the province (23.5 FTEs). The Branch's budget totals \$2,450.0 in 2015/16.

Key Personnel:

Annette Willborn, Executive Director

Community Development – Neighbourhoods Alive!

Neighbourhoods Alive! (NA!) supports revitalization efforts of 13 designated vulnerable neighbourhoods in Winnipeg (West Broadway, Spence, William Whyte, Lord Selkirk Park, North Point Douglas, St. John's, Dufferin, Centennial, West Alexander, North Portage, Chalmers, Daniel McIntyre and St. Matthews), and seven designated urban centres in the province (Brandon, Thompson, Dauphin, Flin Flon, Portage la Prairie, Selkirk and The Pas). It is responsible for the implementation of the following programs: The Neighbourhood Renewal Fund, Community Initiatives, and Neighbourhood Development Assistance.

Key Personnel:

Jim Stewart, Manager

Community Development – Community Places Program

The Community Places Program (CPP) provides capital grants and technical consultation services to assist non-profit organizations throughout Manitoba with projects and planning involving the construction, upgrading, expansion or acquisition of sustainable facilities. In addition, CPP administers the Building Manitoba Recreational Fund, and provides technical advice on projects for other departments and funding agencies. CPP is also responsible for organizing and facilitating workshops each year to assist non-profit organizations improve their project planning and grant applications.

Key Personnel:

Mark Ranson, Director

Rural Economic Development Initiatives

Rural Economic Development Initiatives (REDI) provides funding for development projects and strategic initiatives to encourage economic growth, job creation and diversification in rural and northern Manitoba. REDI's 2015/16 budget is \$21.4M.

Partner 4 Growth

The Partner 4 Growth program assists rural regions to strengthen and diversify economic activity based on identified regional strategic advantages. The program provides cost shared funding to rural municipalities, communities and non-profit organizations working in partnership to identify strategic opportunities, investigate the feasibility of these opportunities, and implement activities to pursue the opportunities.

Infrastructure Grants

This program facilitates infrastructure projects aimed to enhance sustainable economic growth and job creation in various communities in Manitoba. For example, in the past the program has provided funding under Hometown Manitoba to rural projects to enhance main streets, meeting places and to plant trees. The program's 2015/16 budget is approximately \$1.2M.

BRIEFING MATERIALS – DEPARTMENT OF MUNICIPAL GOVERNMENT

SUBJECT: Stage 2 Southwest Rapid Transitway / Pembina Underpass Agreement

ISSUE:

- Manitoba confirmed in July 2015 that it will contribute up to \$225M, plus interest (capped at \$5M), to the \$587.3M Southwest Transitway / Pembina Underpass project. Canada will contribute \$137M through P3 Canada to be paid upon substantial completion. Winnipeg will contribute \$225M through annual P3 lease payments to its P3 proponent starting in 2020 (\$16.5M per year) over a 30-year period.
- A funding agreement for the provincial contribution is currently being finalized.
- Decisions are required on the signing of the funding agreement. S. 23(1)(a)
Winnipeg must have a signed funding agreement with the Province to proceed with its borrowing by-law to secure its share of the project costs. The City must pass its borrowing by-law at the May 18th Council meeting prior to awarding the contract to the successful P3 proponent.
- City officials have indicated any delays in signing the funding agreement would delay the awarding of the construction contract, scheduled for mid-June 2016.
- The federal government recently announced changes to the cost-sharing formula for P3 Canada – funded projects; increasing the federal share from 25% to 33.3%.
- S. 23(1)(a)
- In addition to providing support for construction of the Southwest Transitway, the City is also expecting the Province to:
 - S. 19(1)(e)
 - S. 19(1)(e)
 - S. 19(1)(e)

CRITICAL BACKGROUND:

Stage 2 Southwest Transitway / Pembina Underpass Agreement

- The City is ready to start construction of the Stage 2 Southwest Transitway project in 2016, which involves construction of a dedicated transit corridor from Pembina and Jubilee to the U of M, as well as widening of the Pembina Underpass. The estimated total cost is \$587.3M, scheduled to be complete in November 2019.
- The Province committed up to \$225M, plus interest, to share 50% of the project cost net of federal contributions. Provincial funding will be sourced from the Building Manitoba Fund (BMF) and is reflected within the current multi-year BMF forecast.
- S. 23(1)(a)
[Redacted]
- S. 23(1)(a); 19(1)(e)
[Redacted]
- S. 23(1)(a); 19(1)(e)
[Redacted]
- S. 23(1)(a); 19(1)(e)
[Redacted]
- S. 23(1)(a); 19(1)(e)
[Redacted]
- Provincial funding was structured based on funding projected to be available within the BMF over the next 5 to 7 years. The City agreed to the proposed payment schedule and agreed to interim finance \$112M in provincial contributions to be made post completion, subject to the Province paying all related interest costs to a \$5M cap. S. 23(1)(a)
[Redacted]
- Negotiations on the terms and conditions of the funding agreement are ongoing and expected to conclude shortly. Agreement provisions to be finalized include:
 - City's recognition of the full \$7.0M advance payment for the Pembina Underpass
 - S. 23(1)(a)
[Redacted]
 - Performance bonding (City did not include performance bond requirements in the P3 contract RFP)
 - Eligible P3-related project costs.

• S. 23(1)(a)



S. 19(1)(e); S. 23(1)(a)



Provincial Share of Stage 2 Transitway Operating / Maintenance Costs

- Under provincial legislation, the Province is required to share 50% of the annual operating and maintenance costs of the Stage 2 Southwest Transitway once construction is complete in 2020.
- The City will engage its P3 contractor to maintain the transitway over a 30-year timeframe, starting in 2020. The City will make annual payments to the P3 contractor to cover these costs.
- S. 23(1)(a)

Transit Buses - Southwest Transitway

- Winnipeg has requested 50% cost-shared funding for the purchase of 12 new transit buses for operation on the Stage 2 Southwest Transitway. Winnipeg Transit anticipates the need for the additional buses based on projected increased ridership and transit service / route changes resulting from operating the new transitway.
- The total cost of 12 new diesel buses is approximately \$5M - \$6M. The provincial share would range from \$2.5M - \$3M. It is expected the City would make the bus purchase in 2019.
- A decision is required on whether to provide the City with cost-shared funding for new buses for the Stage 2 Transitway. S. 23(1)(a)
- A provincial / city taskforce was struck to examine the integration of electric buses into Winnipeg's transit system. There could be consideration to using electric buses on the Stage 2 Transitway, however no commitments have been made, until the taskforce report is reviewed by senior City and Provincial officials. It is expected that funding would also be required from the federal government to support the integration of electric buses into the City's transit fleet.

Contact: Mike Sosiak, Director, Municipal Finance & Advisory Services

Date: April 26, 2016

BRIEFING MATERIALS - DEPARTMENT OF MUNICIPAL RELATIONS

SUBJECT: Municipality of West Interlake – Request to De-Amalgamate

ISSUE:

- Challenges facing the Municipality of West Interlake following the amalgamation of the former Siglunes and Eriksdale, notably the financial status of the former Siglunes and the new Council's policies and practices, has resulted in continuing council conflict and a Citizen's Group application to the Municipal Board to dissolve the municipality. Council is united in "de-amalgamating" West Interlake but not through dissolution.
- The former Siglunes financial issues, which include recovery of deficits attributable to flood-related expenditures, cash flow issues related to outstanding DFA claims S. 23(1)(a) [REDACTED]
[REDACTED] The former Siglunes citizens only would pay for these past expenditures. Legislative and regulatory provisions can ensure this.
- The Municipal Board hearing to dissolve West Interlake was held May 3, 2016. The Department provided legislative information on the structure of local government, dissolution of a municipality, and taxation and finance in amalgamated municipalities for the Municipal Board to use in its deliberations.

The Hearing was not concluded, the Municipal Board indicated it did not have complete information to proceed with making a report and recommendation to the Minister (no proposal for a local governance structure post-dissolution was put forward). The Board advised that there is a strong need for more dialogue and that it would be sending a letter to all parties (Citizen's Group, Council, Province) strongly encouraging all parties to discuss options and come up with a solution in the best interests of all citizens. A timeline of September 30, 2016 was provided as an end date for discussions. At that time, the parties are to advise the Board that the application to dissolve is withdrawn (a solution has been found) or the Hearing can reconvene.

S. 23(1)(a) [REDACTED]

RECOMMENDATION:

- S. 23(1)(a) [REDACTED]

CRITICAL BACKGROUND:

Current Financial Situation:

- S. 20(1)(c); S. 21(1)(c)
[REDACTED]
- S. 20(1)(c); S. 21(1)(c)
[REDACTED]
- The magnitude of these flood related expenditures and the outstanding DFA claims have created deficits for the former Siglunes. S. 20(1)(c); S. 21(1)(c)
[REDACTED]
- A recovery of the former Siglunes' prior years' non-flood related deficits occurred through taxation on Siglunes ratepayers only, in the 2015 West Interlake budget. The 2016 budget has begun but is delayed pending resolution of the 2014 deficit, so that recovery can be included in the budget.
- The Municipality also has cashflow issues related to the significant outstanding payables for flood related work, especially Breezy construction (a payment plan has been negotiated).

Proposal to Dissolve West Interlake:

- The Citizens Group's proposal to the Municipal Board to dissolve did not present a complementary proposal for a new local governance structure post-dissolution. Dissolution results in the municipality ceasing to exist, in whole or in part, and becoming unorganized territory.
- Both the Citizen's Group and Council want to "de-amalgamate" West Interlake. At the Municipal Board Hearing the Citizen's Group clarified that the outcome it wants is the former Eriksdale created as a Local Government district (LGD) or a non-conforming municipality (less than 1,000 population).

S. 23(1)(a)

The RM of West Interlake

BRIEFING MATERIALS - DEPARTMENT OF MUNICIPAL RELATIONS

Council passed a resolution creating a committee comprised of Eriksdale Ward councillors and the Reeve to explore annexation of the former Eriksdale by neighboring municipalities.

- As noted above, the Municipal Board's direction at the Hearing, strongly encouraging all parties to discuss options and come up with a solution in the best interests of all citizens
S.23(1)(a)

- The process for creating a different local government structure for the Municipality of West Interlake has specific requirements and processes set out in existing legislation or requires new legislation.

• S.23(1)(a)

• S.23(1)(a)

• S.23(1)(a)

• S.23(1)(a)

• S.23(1)(a)

The legal processes and requirements related to the options are specific and set out in legislation.

Attachment: Information for the Municipal Board

Contact: Laurie Davidson, ADM, Provincial-Municipal Support Services
Date: May 9, 2016

INFORMATION FOR THE MUNICIPAL BOARD

REGARDING THE PROPOSED DISSOLUTION OF THE RURAL MUNICIPALITY OF WEST INTERLAKE

The Municipal Board is currently considering a proposal submitted by the West Interlake Citizens Group to dissolve the Rural Municipality of West Interlake (the "RM"). Municipal Government is providing legislative and regulatory information on the structure of local government and dissolution of a municipality, as well as taxation and finance in amalgamated municipalities, which the Municipal Board may use in its deliberations.

Structure of Local Government

The Municipal Act provides for the formation of municipalities and for alterations to the boundaries of existing municipalities. Currently there are 134 municipalities created under *The Municipal Act*. Alterations to boundaries (changes in the area of a municipality) may occur by amalgamation, annexation or dissolution.

Amalgamations occur when a new municipality is created or continued from two or more existing municipalities.

Annexations take place when a part of one municipality is added to another municipality (for example, the area of a rural municipality which has become the developed fringes of an urban municipality is added to the area of the urban municipality).

Dissolutions generally occur when a municipality no longer has sufficient population and resources to support a separate local government. The territory becomes "unorganized", which means it is left without any elected local government.

The legal processes and requirements to form, amalgamate, annex and dissolve municipalities are specific and are set out in *The Municipal Act*. All these processes include a role for The Municipal Board.

The Local Government Districts Act provides for the creation of Local Government Districts (LGD's) by Lieutenant Governor in Council regulation. The Municipal Board does not have a role in the formation of a LGD.

There are currently two LGD's — Pinawa and Mystery Lake, which were created in respect of industrial townsites. Historically there were a number of other LGD's which consisted of large and

sparsely populated areas, but in more recent times these areas have been converted to municipalities.

LGD's, although similar to municipalities, have restrictions (through regulation) on their autonomy and authority. By-laws, expenditure of funds, appointment of an administrator are subject to approval of the Minister unless delegated. An elected council or committee may be provided for.

Impacts of Dissolution of the RM

The existing *Municipal Act* provides for the dissolution of a municipality. The dissolution of the RM immediately results in the following outcomes, if it were to be dissolved as proposed to the Municipal Board, by the West Interlake Citizens Group:

- The whole of the Rural Municipality of West Interlake would be dissolved into unorganized territory. The municipality would no longer exist, in whole or in part.
- All councillors would cease to hold office. Re-forming any part of the area as a municipality would necessitate the holding of a general election in the area. The general election would need to be repeated in 2018, so that general elections in the re-formed municipality could be synchronized with general elections in other municipalities.
- There would be no authority to impose and collect municipal and school taxes in respect of the area.
- The authority to provide municipal services would cease as there would be no immediate structure to continue the provision of services.

A process for transitioning the area or the respective parts of it, into one or more new forms of local governance is necessary, if the RM were to be dissolved as requested.

The process for moving from unorganized territory to any form of local government has specific requirements and processes set out in legislation. These requirements and processes are different from the requirements and processes for moving from a municipality with an elected council to a changed structure.

Taxation and Finance in Amalgamated Municipalities

The financial situation of the former Rural Municipality of Siglunes is cited in the proposal to the Municipal Board as a reason to dissolve the RM. Taxation and finance are usually one of the

most important aspects of an amalgamation; amalgamation partners generally have different municipal taxation levels, mill rates, and assets and liabilities. Existing legislation, both *The Municipal Act* and regulations under *The Municipal Amalgamations Act* provide tools that are used to manage the different tax and financial situations of the amalgamated partners in the new municipality. Key tools, which can be used separately or together, include:

Differential mill rates – different mill rates are established and levied on properties in each of the former municipalities, to reflect different services delivered and to manage tax shifting. *Rural Municipality of Eriksdale and Rural Municipality of Siglunes Amalgamation Regulation* (Regulation 144/2014) provides authority to the Rural Municipality of West Interlake to establish differential mill rates up to and including 2022.

Special Service Levies - all municipalities can establish special service levies to tax only properties that benefit from the service.

Deficit recovery - deficits incurred by former municipalities require Minister's approval and can specify terms and conditions. The terms and conditions can ensure that only property owners of the former municipality that incurred the deficit pay.

Debt from general borrowings prior to amalgamation – continue to apply only to the area of the former municipality.

Debt from Local Improvement borrowings – both prior to amalgamation and after amalgamation remains with the properties specified in the by-law.

Reserve Funds – councils can pass a by-law to direct that a reserve fund can only be spent in the municipality that raised the funds.

BRIEFING MATERIALS – DEPARTMENT OF MUNICIPAL GOVERNMENT

SUBJECT: CANADA'S 2016 INFRASTRUCTURE PLAN

CRITICAL BACKGROUND:

- The New Federal Transit, Green and Social Infrastructure Funds will provide an additional \$60B over the next 10 years.
- In order to roll the funding out quickly, Canada will provide the funding in two phases. The initial phase will provide \$11.9B over the next four years starting in 2016.
- Phase 2 will provide the remaining funding and will be developed through stakeholder consultations over the next few years.

Phase 1 of Canada's New Infrastructure Plan

- Phase 1 of the Government's infrastructure plan provides \$11.9B to flow over the next four years, starting in 2016-17.
 - **Transit:** \$3.4B/3 years to upgrade and improve public transit systems – Manitoba's share is noted at \$82.84M based on ridership;
 - **Green Infrastructure:** \$5.0B/5 years for: water & wastewater (\$2B), Climate Change Mitigation (\$518M), Municipal Capacity Building (\$250M to be delivered by FCM) and water, wastewater and solid waste management projects for First Nations Communities (\$2.242B); and
 - **Social Infrastructure:** \$3.4B/5 years for: affordable housing (\$1.48B), early learning and child care (\$400M), cultural and recreational infrastructure (\$342M), and First Nations, Inuit and northern communities' social infrastructure (\$1.22B).

Details of the 2016 Programs:

- Canada will have one bilateral agreement with Manitoba to cover both the Clean Water and Wastewater Fund (CWWF) and the Public Transit Infrastructure Fund (PTIF).
- Once it is received, provincial staff will work with federal counterparts to finalize the Draft Bi-lateral agreement as soon as possible.
- Manitoba's federal allocation under the CWWF is \$95.25M (base funding of \$50M plus per capita at 3.3%) and under the Public Transit fund is \$82.84M (based on municipal ridership).

BRIEFING MATERIALS – DEPARTMENT OF MUNICIPAL GOVERNMENT

- Manitoba will receive up to 1% of the federal funding for administrative costs related to the CWWF (\$952,251) and the Public Transit (\$ 828,400).
- In order to receive federal funding under these programs, an applicant must demonstrate:
 - the project would not have commenced construction within the next 2 years without federal funds; or
 - the project would not have occurred without the federal funds.
- This Incrementality is an important aspect of the new programming and will be reviewed by the federal OAG.
- Project Reporting will focus on outcomes/milestones to demonstrate the value of projects.

Green Infrastructure Fund - \$5B/5 years

Clean Water and Wastewater Fund:

- \$2B in federal funding over 3 years for immediate improvements to municipal water distribution and treatment infrastructure at up to 50 per cent of eligible costs for projects.
- Manitoba's allocation is \$95.25M over the 3 years starting in 2016-17.
- The primary focus of the program is on Revitalization, Renovation and Rehabilitation, but new construction including the construction of naturalized systems for management and treatment of wastewater and storm water may also be considered if they can be completed within the program timeframe.
- Asset Management and Design & Planning for future projects will also be eligible.
- Municipal applications for funding are to be submitted through Manitoba.
- There is no specific municipal allocations under the CWWF. However there is an expectation that a variety of small, medium and large projects will be funded.
- Funds are to flow within the next 2 years and final payments can be administered in the final (3rd) year.
- April 1, 2016 is the Eligible Project costs date.
- S.23(1)(a)

BRIEFING MATERIALS – DEPARTMENT OF MUNICIPAL GOVERNMENT

- Federal cash-flow is flexible and options can be discussed (ie federal funds could flow first with provincial funds flowing later).
- Manitoba is to submit a list of priority projects to INFC as soon as possible. This list is to contain project information similar to what was required under the Small Communities Fund.

First Nations Water and Wastewater Funding:

- \$1.8B/5 years to address health and safety needs, to ensure proper facility operation and maintenance, and to end long-term boil water advisories on First Nations reserves within five years. Manitoba's estimated allocation is \$356.4M.
- Manitoba's estimated allocation for this funding is based on Manitoba's Aboriginal population comprising 19.8% of Canada's First Nation population.

First Nations Waste Management Funding: Up to \$409.M/5 years to improve garbage and waste management on reserve (\$81.16M). See estimated funding allocation noted above.

Climate Change - \$518M

- Will go towards projects that help communities better prepare for climate change resilient projects.
- Manitoba's \$495M Lake Manitoba/Lake St. Martin Channel project was selected for funding of \$247.5M as a marquee project in the federal budget.
- The project was originally approved for 1/3 (\$165M) funding under the National Infrastructure Component (NIC).
- The current 50% federal funding of \$247.5M for the project will be provided through a "Top Up" to Manitoba's New Building Canada Fund - Provincial Territorial Infrastructure Component allocation.

Municipal Capacity Building Funding - \$250M (delivered by FCM)

- **Climate Change - \$75M** for municipality-led projects to identify and implement greenhouse gas reduction opportunities. It will also support the assessment of local climate risks, and the integration of these impacts into asset management plans.
- **Green Municipal Fund – \$125M/2 years** to finance and fund innovative, municipal green infrastructure priorities.

BRIEFING MATERIALS – DEPARTMENT OF MUNICIPAL GOVERNMENT

- **New Capacity Building Fund - \$50M** to strengthen capacity-building and fund the support of asset management in communities for longer-term planning that supports strategic investments.

Public Transit Infrastructure Fund (PTIF) - \$3.4B/3 years

- Manitoba's funding is up to \$82.84M based on transit ridership.
- The main objective of the PTIF is to improve existing infrastructure, asset management, planning for future infrastructure.
- Eligible projects include:
 - Upgrades to subway tracks, bridges, signals and switches;
 - Fleet replacement, including the purchase of new subway cars, low-floor buses, and street cars;
 - Accelerated design, implementation and construction work for new large-scale projects, such as new light rail transit lines;
 - Federal funding may be up to 50 per cent of eligible costs for projects. The federal funding is to flow to transit systems on a ridership basis. i.e. Winnipeg, Thompson, Flin Flon, Brandon etc. Minimum federal funding to a Transit System is \$50K.

Social Infrastructure Fund - \$3.4B/5 years

- \$1.48B to expand affordable housing (including shelters for victims of violence), support early learning and child care, renew cultural and recreational infrastructure, (Manitoba's share could be approximately \$48.9M).
- \$400M in 2017-18 to establish National Framework on Early Learning and Child Care.
- \$342M in cultural and recreational infrastructure, including \$168.2M towards *Canada Cultural Spaces* and \$150M towards *Canada 150 Community Infrastructure* (Western Economic Diversification to deliver in Manitoba) Manitoba's share could be up to \$11.28M.
- \$1.219B will be invested in First Nations, Inuit and northern communities. Manitoba's First Nations' share of this funding could be up to \$241.36M.

BRIEFING MATERIALS – DEPARTMENT OF MUNICIPAL GOVERNMENT

ADDITIONAL HIGHLIGHTS FROM THE FEDERAL 2016 BUDGET:

Indigenous Infrastructure: \$8.5B/years

- \$1.8B/5 years to support water and wastewater treatment on reserve – provided through the Green Infrastructure Fund as noted above;
- \$409.M/5 years to improve garbage and waste management on reserve – provided through the Green Infrastructure Fund as noted above;
- \$270.2M/5years to expand and enhance health facilities in First Nations communities;
- \$732.M/2 years for housing needs on reserve and in Inuit and northern communities;
- \$129.4M/2 years for repairs and renovations of Indigenous early learning and child care facilities and to support the establishment of a Framework on Early Learning and Child Care;
- \$76.9M/2years for the construction of cultural and recreational centres on reserve; and
- \$10.4M/3 years for renovations and the construction of new shelters for victims of family violence in First Nations communities.

Federal Infrastructure Upgrades: \$3.4B/5 years

- to maintain and upgrade *federal infrastructure* assets such as national parks, small craft harbors, federal airports and border infrastructure. This funding will also support the clean-up of contaminated sites across the country.

Broadband: \$500M/5 years

- to extend and enhance broadband service in rural and remote communities. To be delivered by Innovation, Science and Economic Development Canada (ISED).

Post-Secondary Institutions Strategic Investment Fund: \$2B/3 years

- A three year stimulus initiative that will support up to 50 per cent of the eligible costs of infrastructure projects at post-secondary institutions and affiliated research and commercialization organizations, in collaboration with provinces and territories.
- To be delivered by Innovation, Science and Economic Development Canada (ISED). Canada will have a bilateral agreement with Manitoba for the funding.

BRIEFING MATERIALS – DEPARTMENT OF MUNICIPAL GOVERNMENT

- Projects must be substantially completed by April 30, 2018.
- Applications are due by May 9, 2016.

P3 Funding:

- The responsibilities of PPP Canada Inc. will be transferred to Infrastructure and Communities.
- The government has removed a mandatory public-private partnership screen for infrastructure projects.
- Federal funding for P3 projects without Approval-In-Principle in place has increased from 25% to 33⅓%,

Contact: Karlene Debance, Executive Director, CMIS
Date: April 26, 2016

**Indigenous and Municipal Relations
Transition Briefing Package
May 2016**

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BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

DEPARTMENT OVERVIEW

Department Responsibilities

In support of municipalities across Manitoba, Municipal Relations within the Department of Indigenous and Municipal Relations delivers training, advice, and funding related to local governance capacity, planning, assessment, community revitalization, and infrastructure.

The Department is also responsible for Manitoba's broad provincial energy policy, the facilitation of energy development projects, the provision of business development services to energy equipment-related manufacturers, and entities involved in energy research and development.

In addition to these core functions, the Department is responsible for several Boards and Committees, including the Taxicab Board, the Manitoba Water Services Board, and the Municipal Board.

Vision:

Sustainable and prosperous communities and municipalities for a stronger Manitoba.

Mission:

To support municipalities, in partnership with other stakeholders, to:

- be accountable and responsive to the needs of their communities;
- plan for healthy and sustainable development;
- make strategic use of existing infrastructure and maximize investment in new infrastructure;
- capitalize on renewable energy opportunities to support economic development.

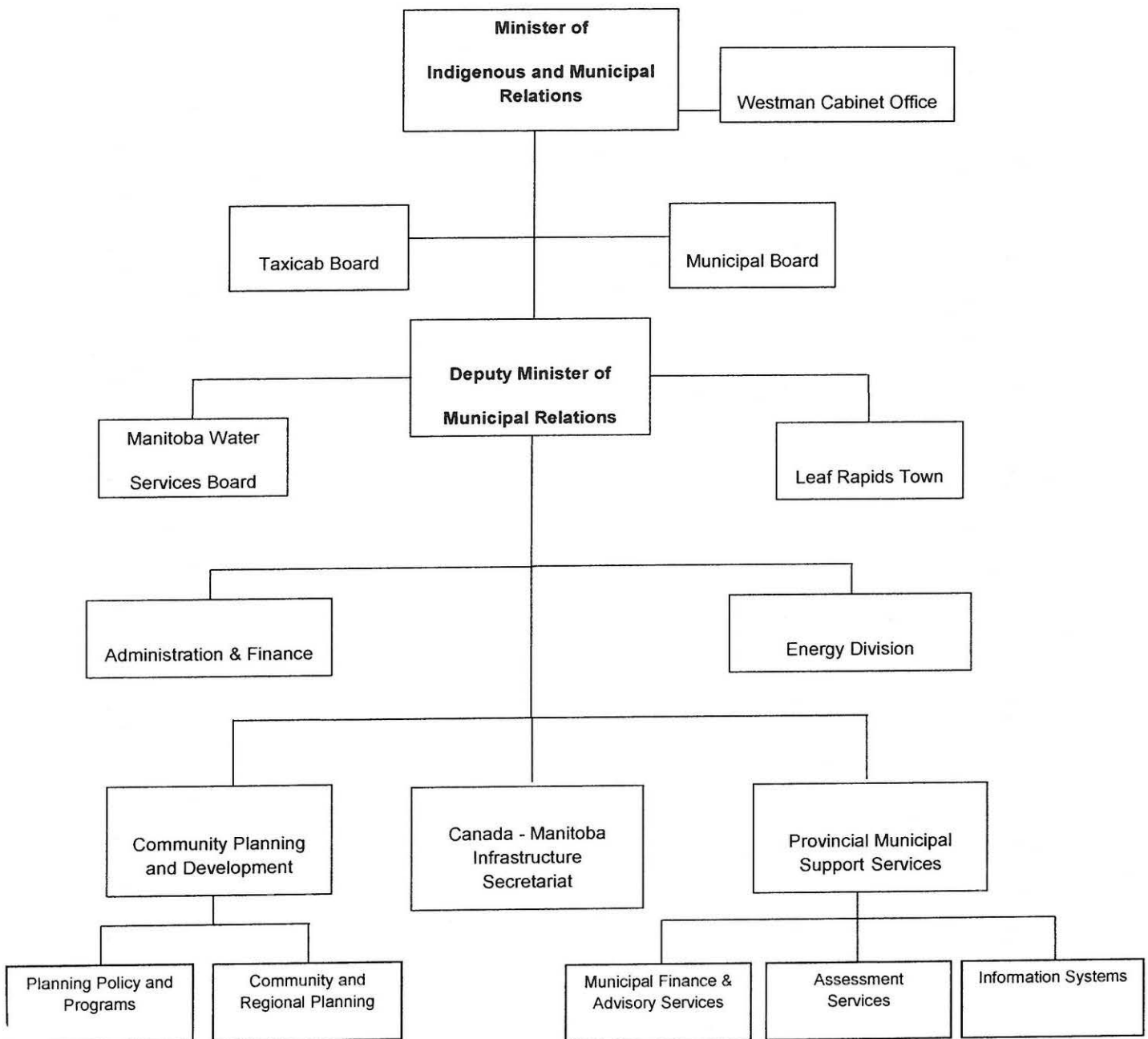
Further the Department supports:

- the development of clean, renewable energy policy and resources;
- increased energy efficiency and conservation measures
- regulations, policies and activities that support the safety of the users of taxicabs and taxicab drivers in the City of Winnipeg
- affordable and accessible taxicab services that meets the need of all citizens of Winnipeg
- fair and expeditious hearings on all matters dealt within the jurisdiction of the quasi-judicial Municipal Board.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

Organizational Structure

The Department consists of four divisions, one secretariat and several boards. These areas are led and supported by Executive Support, which is housed within Administration and Finance Division.



Broad Policy or Financial Pressures

1. **Municipalities continue to lobby for increased provincial funding**, including new sources of growth revenue targeted to infrastructure. Most recently, the City of Winnipeg and AMM have called for a “Fair Share” of the PST – specifically a 1% point share of the PST for municipal infrastructure, over and above existing funding currently provided to municipalities.
2. **Increasing public expectations for more accountable and transparent local governments**, as well as for greater access and involvement in local decision making. There is also increasing pressure from citizens, media, and other stakeholders to strengthen the accountability of Municipal Councils (e.g. Ethics / Integrity Commissioner) and support transparent decision-making. These pressures are compounded as municipalities continue to face administrative and oversight capacity challenges.
3. **Affordable and equitable property taxation and sound assessment** continues to be a priority for property owners, municipalities, school divisions and the Province. The Department delivers property assessment services to all municipalities outside Winnipeg, which involves updating property assessments based on market values, to ensure taxes are equitably distributed on the assessed value of properties. The Department is also responsible for tax policy and analysis, given property tax is a major source of municipal revenues.
4. **Aging infrastructure and changing regulations has resulted in** a water and wastewater infrastructure deficit in rural Manitoba is approximately \$1.0B of which \$500.0M to \$600.0M is directly related to upgrading municipal wastewater systems to meet new regulatory requirements.
5. **Municipalities and Planning districts have a continuous need for technical planning assistance provided by the department.** There is ongoing work with AMM, Office of Continuous Improvement, and other departments to identify ways to improve services delivered by the department.
6. **Administrative, financial operational, and land use decision making for Rosser CentrePort lands has begun related to the implementation of the CentrePort Special Planning Area.** The goal is to deliver expedited one-window review and approvals process for industrial and commercial land development proposals.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

7. **The department responds to continuing pressure from landowners and municipalities to approve development in areas that have been heavily impacted by spring floods.** This includes areas around Lake Manitoba, the Red River Valley Designated Flood Protection Area, along Assiniboine River, Seine River, and other specific areas of the province.
8. **Winnipeg and Brandon have requested expanded development agreement authority in *The City of Winnipeg Charter* and *The Planning Act* to assist with recouping the costs associated with new development.** Both are consulting with their development communities and continue to press the Province for legislative changes.
9. **The Town of Leaf Rapids has experienced significant financial and administrative challenges in recent years.** The Province placed the affairs of the Town under supervision and appointed a Supervisor in May 2015. The Town has been under supervision for most of the current Council's tenure, with this situation likely to remain for the near future. The current contract for the Supervisor expires June 30, 2016 and will need to be renewed.
10. **Reassessment takes place every two years (2018), which includes undertaking extensive analysis of property sales, research and updating of construction costs, and regulatory amendments for properties assessed on the basis of statutory rates.** The Department also undertakes analysis of the tax impacts of reassessment and ensures that municipalities have the information and tools needed to address tax impacts on ratepayers.
11. **In June 2014, the Public Utilities Board released its report on the Needs For and Alternatives To review of Manitoba Hydro's Preferred Development Plan.** The report includes recommendations to improve demand side management and resource planning in Manitoba. The Energy division is working to develop options to respond to the recommendations of the PUB.
12. **Manitoba has agreed to the 2016 Vancouver Declaration on Clean Growth and Climate Change, which includes a commitment to work a pan-Canadian framework on clean growth and climate change.** Meeting climate change mitigation goals in Manitoba will require measures to reduce GHG emissions from energy use, primarily in the heating and cooling of buildings and in transportation fuels.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- 13. The federal government desires to refocus National and Regional projects under the New Building Canada Fund on trade corridors and gateways.** Manitoba has submitted a prioritized list of seven National Highway System projects to commit \$202.4M of Manitoba's \$420M federal allocation under the NRP.
- 14. The Department assists municipalities in the Manitoba Capital Region in developing a regional growth strategy and addressing development pressures.** Key goals include directing new residential development to areas with full water and wastewater servicing and developing more compact communities, which ultimately results in more fiscally and environmentally sustainable development.
- 15. The Department is working with Office of Continuous Improvement, other departments and key stakeholders such as Association of Manitoba Municipalities to streamline delivery of planning services.** This includes approvals of subdivisions, development plans or amendments, municipal road/public reserve closures, and zoning by-laws and amendments.
- 16. The Taxicab Board is currently working on a review of Winnipeg Taxicab Services to inform decision-making on the modernization of regulations pertaining to taxicab services in Winnipeg.** Pressures to modernize taxicab regulations stem from the use of new technologies and the advent of transportation network companies, as well as concerns from Indigenous taxicab clients regarding discrimination, mistreatment, harassment and sexual assaults.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

List of Community Contacts

Association of Manitoba Municipalities
Canadian Association of Petroleum Producers
Canadian Urban Transit Association.
CentreVenture Development Corporation
CentrePort Canada
City of Winnipeg
City of Brandon
Downtown Winnipeg Business Improvement Zone
Federation of Canadian Municipalities
Forks North Portage Partnership
Government of Canada
Manitoba Chamber of Commerce
Manitoba First Nations communities
Manitoba Municipal Administrators' Association
Manitoba Trucking Association
Municipal Councils across Manitoba / Manitoba Municipalities
Municipal Auditors across Manitoba
Northern Affairs Community Councils
Partnership of the Manitoba Capital Region
Planning Districts
The Property Registry
Renaissance Brandon
Shoal Lake First Nations No. 39 and No. 40
Water Cooperative Board of Directors
Winnipeg Airport Authority
Winnipeg Chamber of Commerce

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

Statutory Responsibilities of the Minister / Legal Framework

The Department delivers services and programs under the authority of the following Acts of the Consolidated Statutes of Manitoba:

- *The Department of Agriculture, Food and Rural Development Act [Section 9 insofar as it relates to Rural Opportunities 4 Growth, Infrastructure Grants of Rural Economic Development Initiatives]*
- *The Capital Region Partnership Act*
- *The Convention Centre Corporation Act (S.M. 1988-89, c. 39)*
- *The City of Winnipeg Charter (S.M. 2002, c.39)*
- *The Community Revitalization Tax Increment Financing Act*
- *The Local Government Districts Act*
- *The Municipal Act*
- *The Municipal Assessment Act*
- *The Municipal Affairs Administration Act*
- *The Municipal Amalgamations Act*
- *The Municipal Board Act*
- *The Municipal Councils and School Boards Elections Act*
- *An Act Respecting Debts Owing by Municipalities to School Districts*
- *The Municipal Taxation and Funding Act [Part 2]*
- *The Official Time Act*
- *The Planning Act [except Part 10]*
- *The Property Tax and Insulation Assistance Act [Part V, and section 1 and Part VI as they relate to subjects covered under Part V]*
- *The Regional Waste Management Authorities Act*
- *The Soldiers' Taxation Relief Act*
- *The Unconditional Grants Act*
- *The Manitoba Water Services Board Act*
- *The Taxicab Act*

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

Key Acronyms

AMM	Association of Manitoba Municipalities
ARM	Association of Rural Municipalities
BCF	Building Canada Fund
BCP	Building Canada Plan
BMF	Building Manitoba Fund
CAF	Community Adjustment Fund
CES	Canadian Energy Strategy
CMIP	Canada-Manitoba Infrastructure Program
CMIS	Canada-Manitoba Infrastructure Secretariat
CSIF	Canada Strategic Infrastructure Fund
DSM	Demand Side Management
EDI	Economic Development Initiatives
EMMC	Energy Mines and Ministers Conference
EPA	Economic Partnership Agreement
FCM	Federation of Canadian Municipalities
GBCF	Gateways and Border Crossings Fund
GTF	Gas Tax Fund
ISF	Infrastructure Stimulus Fund
MBP	Municipal Bridge Program Component
MDTP	Mobility Disadvantaged Transportation Program
MOU	Memorandum of Understanding
MMAA	Manitoba Municipal Administrators' Association
MMO	Manitoba Municipalities Online

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

MRBP	Municipal Road and Bridge Program
MRIF	Canada-Manitoba Municipal Rural Infrastructure Fund
MRIP	Municipal Road Improvement Program Component
MFAS	Municipal Finance and Advisory Services
MSO	Municipal Services Officer
MWSB	Manitoba Water Services Board
NACC	Northern Association of Community Councils
NBCF	New Building Canada Fund
NFAT	Needs For and Alternatives To
NIC	National Infrastructure Component
NRP	National and Regional Projects
PMSS	Provincial Municipal Support Services
PT Base	Building Canada Fund – Provincial/Territorial Base Funding
PTIC	Provincial-Territorial Infrastructure Component
PTOC	Provincial-Territorial Oversight Committee
PUB	Public Utilities Board
RInC	Recreation Infrastructure Canada Fund
RLIP	Manitoba–Winnipeg Recreation and Leisure Infrastructure Program
RM	Rural Municipality
ROC	Resolution of Council
SCF	Small Communities Fund
WCIP	Winnipeg Community Infrastructure Program
WTP	Water Treatment Plant
WWTP	Wastewater Treatment Plant

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

Key Acronyms

AMM	Association of Manitoba Municipalities
ARM	Association of Rural Municipalities
BCF	Building Canada Fund
BCP	Building Canada Plan
BMF	Building Manitoba Fund
CAF	Community Adjustment Fund
CES	Canadian Energy Strategy
CMIP	Canada-Manitoba Infrastructure Program
CMIS	Canada-Manitoba Infrastructure Secretariat
CSIF	Canada Strategic Infrastructure Fund
DSM	Demand Side Management
EDI	Economic Development Initiatives
EMMC	Energy Mines and Ministers Conference
EPA	Economic Partnership Agreement
FCM	Federation of Canadian Municipalities
GBCF	Gateways and Border Crossings Fund
GTF	Gas Tax Fund
ISF	Infrastructure Stimulus Fund
MBP	Municipal Bridge Program Component
MDTP	Mobility Disadvantaged Transportation Program
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BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: ADMINISTRATION AND FINANCE – OVERVIEW

This division provides executive planning, management and control of departmental policies and programs. It also delivers the comptrollership function and central management services, including financial and administrative services, and budget review. Support for the Minister's Office and the Westman Regional Cabinet Office is also housed within the Administration and Finance Division.

Executive Support

- There are 9.00 FTEs in the Minister's and Deputy Minister's office (does not include the Minister's FTE), as follows:

Minister's Office	
Executive Assistant	1.00
Special Assistant	1.00
Ministerial Secretary	1.00
Administrative Secretaries	2.00
Subtotal:	5.00

Deputy Minister's Office	
Deputy Minister	1.00
Senior Policy Advisor	1.00
Deputy Minister's Secretary	1.00
Administrative Secretaries	1.00
Subtotal:	4.00
Total:	9.00

- The branch's 2015/16 Budget totals \$772.0, as follows:

Salaries	\$692
Operating	80
Total:	\$772

Key Personnel: **Fred Meier**, Deputy Minister, Municipal Relations

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

Brandon Cabinet Office

- The Brandon Cabinet Office provides citizens in Western Manitoba access to government.
- There are 2.00 FTEs in the Brandon Cabinet Office.
- The 2015/16 Budget for the Brandon Cabinet Office totals \$164.0, as follows:

Salaries	\$138
Operating	26
Total:	<u>\$164</u>

Administration and Finance

- Administration and Finance supports the Department in meeting its corporate goals through the provision of strong fiscal and administrative management. It provides central support services essential to the operation of the department, including comptrollership, financial accounting and general administrative services.
- There are 9.10 FTEs in Administration and Finance.
- The 2015/16 Budget for Administration and Finance totals \$785.0, as follows:

Salaries	\$646
Operating	139
Total:	<u>\$785</u>

Key Personnel:

Craig Halwachs, Assistant Deputy Minister

Brian Johnston, Director of Finance and Administration

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

The Municipal Board

- The Municipal Board reviews and renders decisions on municipal borrowing, assessment, planning and other matters as required by statute. It provides administrative support to the Land Value Appraisal Commission and the Disaster Assistance Appeal Board.
- The 2015/16 Budget for the Municipal Board totals \$899.0, as follows:

Salaries	\$781
Operating	118
Total:	<u>\$899</u>

Key personnel: **Rose Gibbons**, Secretary to the Board, Municipal Board

The Taxicab Board

- The Taxicab Board licenses and regulates all taxicabs including limousines and handicab vans within the City of Winnipeg. It conducts enforcement of the regulations which enhance public, passenger and driver safety.
- The 2015/16 Budget for the Taxicab Board totals \$728.0, as follows:

Salaries	\$628
Operating	100
Total:	<u>\$728</u>

Key personnel: **Shelly Ferens**, Secretary to the Board, Taxicab Board

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: Review of the Taxicab Industry

ISSUE:

- The Taxicab Board is currently working on a review of Winnipeg Taxicab Services to inform decision-making on the modernization of regulations pertaining to taxicab services in Winnipeg. There is a need to modernize and streamline the existing regulatory framework guiding the Winnipeg taxicab industry to address current gaps, new technologies and new/emerging needs of industry and taxicab users.

CRITICAL BACKGROUND:

- There are a number of decisions before the Taxicab Board (TCB) that are being held pending a comprehensive review of the taxicab industry. This includes fare increases, non-transferable licences, age limit of limousines and how to respond to emerging transportation network companies (i.e. Uber or Lyft).
- The TCB entered into a contract with MNP in December 2015 for \$100.0 to undertake an independent review of the Winnipeg's taxicab industry. The review is expected to be completed late summer 2016. The review will examine issues related to supply and demand for Taxicabs, fare structures, customer service satisfaction and consumer protection, safety, security and accessibility, licensing structures, and new and emerging technologies and programs.
- The TCB is an independent quasi-judicial tribunal established under *The Taxicab Act* (the Act). The Board licenses and regulates all taxicabs, wheelchair vans and limousines in Winnipeg. Its mandate is to ensure that persons within Winnipeg receive safe, quality taxicab service at a reasonable cost.

Contact: Shelly Ferens (Director/Secretary, Taxicab Board)

Date: April 15, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: Safety Concerns, Violence and Discrimination of Indigenous Peoples by Taxicab Drivers

ISSUE:

- A number of indigenous groups, including the Southern Chiefs Organization of Manitoba (SCOM), have expressed concerns about violence and discrimination against indigenous women by taxicab drivers and dispatch companies.
- In response to these concerns, an indigenous organization (IKWE-women helping women safe ride) and an indigenous individual (Neechi Rides) are offering “safe ride services” for donation/fee for indigenous women and people.
- Under *The Taxicab Act*, the “safe ride services” offered by indigenous service providers fall under the regulations governing taxis; and must abide by all the same licensing, safety and insurance requirements that licenced taxis must meet. Absence of these requirements will require taxicab inspectors to enforce provisions under the Act, including issuing a cease and desist order or offence notices.
- The Taxicab Board (TCB) is monitoring these services to determine next steps. To date, no cease and desist orders or offence notices have been issued to these organizations.

CRITICAL BACKGROUND:

- The TCB takes these concerns very seriously and is actively addressing them with a number of actions, including:
 - Designating an indigenous representative on the TCB.
 - Funding \$25.0K to the Social Planning Council to assist with taxicab complaints;
 - Updating the driver training to address intercultural competency, conflict resolution and anti-racism.
 - Creating promotional material to educate the public of their rights when taking a taxi, the drivers rights and how to file a complaint.
 - TCB will be contacting various Indigenous organizations to encourage complainants to come forward and formally file complaints to ensure the TCB can properly investigate matters and take the appropriate action.
 - The comprehensive taxicab review currently underway by MNP will include a number of consultations and surveys with the public, including Indigenous people/organizations that will assist in making future enhancements.

Contact: Shelly Ferens, Director/Secretary, Taxicab Board
Date: April 15, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: TAXICAB FINES AND PENALTIES

ISSUE:

- Current legislation provides for an offence notice to be issued for illegal taxicab activities under *The Taxicab Act* with the amount of the penalty/fine to be determined by the courts. The Taxicab Board (TCB) does not have the ability to issue a preset fine amount at this time.

CRITICAL BACKGROUND:

- Organizations and individuals are offering vehicles for hire for compensation without a taxicab business license. This is in breach of *The Taxicab Act*.
- The TCB has the authority to regulate and issue taxicab business licenses and taxicab drivers licenses. Drivers must undertake the mandated training and provide criminal and child abuse registry checks. Taxicab business license holders must also ensure that their vehicle(s) meet the regulated safety and inspection requirements, have the required equipment, carry a minimum of \$2 million third party liability insurance, and have the required commercial livery insurance.
- Under *The Taxicab Act*, upon summary conviction, the penalty for operating without a business license is a fine of \$100-\$500 for the first offence, and \$250-\$1,000 for subsequent offences. The penalty for operating without a taxicab driver's license is a fine of \$50-\$250 for the first offence and \$100-\$500 for subsequent offences.
- *The Taxicab Act* provides for the enforcement of a penalty for operating without a Taxicab Business License. If any person is found guilty and unable to pay the proper fine and costs, in the case of a first offence, the courts shall cancel the license to drive a motor vehicle in the province, as well as the registration of every motor vehicle registered to that person. Furthermore, the guilty party will not be able to hold a license to drive a motor vehicle in Manitoba for one year. If a second or subsequent offence is committed, the cancellation of the driver's license and the of the registration will be applied in addition to the penalty.

S.23(1)(a)

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S.23(1)(a)

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- Approximately 92% of the standard and accessible taxicab business license holders are operating as Unicity Taxi and Duffy's Taxi. Both companies have asked the Manitoba Government to increase the fines and would be supportive of this change.

Contact: Shelly Ferens, 945-6713
Date: April 22, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: ALLOCATION OF TAXICABS

ISSUE:

- The Taxicab Board has authority to determine the number of taxicabs required in The City of Winnipeg based on public convenience and necessity.

CRITICAL BACKGROUND:

- The Taxicab Board is an independent quasi-judicial administrative tribunal established by the Province of Manitoba under *The Taxicab Act* and has the authority to licence and regulate taxicabs within The City of Winnipeg.
- The Taxicab Board's mandate is to ensure citizens in Winnipeg receive quality taxicab service that meets the public need at a reasonable cost through the administration of a system of economic regulation, and enforces regulations and policy that are in the best interest of public, passenger and driver safety.
- As of January 2016 there were 644 Taxicab Business Licenses (TBL). An additional 107 were allocated for the busy holiday and travel season. The seasonal taxicabs were permitted to operate from November 2, 2015 to March 31, 2016.
- The Board can also issue temporary limousine licenses to meet peak periods of demands such as the graduation and wedding season or when Winnipeg hosts major event that would attract more visitors.
- Following is a breakdown taxicab business licenses by category as of January 2016 (excludes the seasonal and temporary permits):

TBL by Category	Number
Standard Taxicab (metered)	410
Accessible Taxicab (metered- can pick up ambulatory, wheelchair or regular fares)	49
Handicab Vans (metered & non-metered)	81
Standard Limousines	33
Premium Limousine	1
Classic Limousine	2
Executive Cars	41
Specialty Vehicle Limousines	23
Specialty Vehicle Bus	4
Total:	644

- Based on Winnipeg's population of 730,018*, the ratio of passengers per standard taxi is 1,781. This is comparable to Hamilton which has a population of 721,053 and has a ratio of passengers per standard taxicab of 1,771. (*Population from Stats Canada 2011 census and includes adjacent communities).

City	Stats Canada 2011 Census -Population	Passenger Ratio per Standard Taxicab	Passenger Ratio per Standard, Accessible & Handicab Vans
Winnipeg	730,018	1,781	1,377
Hamilton	721,053	1,721	1,665

- It is important to note that Stats Canada 2011 Census illustrates that Winnipeg has 43,196 persons with a disability. Winnipeg has one of the highest number of accessible and handicab van taxis in Canada (130 TBL's) compared to Hamilton with only 14. (Only Ottawa (188) and Calgary (155) have higher numbers than Winnipeg and have a much larger population base to service.)
- The cost of a TBL is \$200 for a standard taxi or limousine and \$100 for an accessible or handicab van license.
- Over the last few years the Taxicab Board has only issued licenses for classes of taxis other than standards and have placed conditions on those licenses making them non-transferable, non-convertible to control the number and taxicabs in a specific class.
- Almost all the standard taxicab business licenses are transferable and are operating as Unicity Taxi (231 TBL) and Duffy's Taxi (176 TBL) with only 3 operating under other companies.
- The majority of standard taxicab licenses do not have conditions and can be sold. This creates a value for a license which is determined by the market. The current average sale price of a transferable license is \$400,000. (This is the price paid to the holder of the license).
- The review of Winnipeg's Taxicab Services that is underway will assist with determining if there are a sufficient number of taxicabs by type of taxi and will also identify a licensing model that will assist the Taxicab Board in making future decisions.

Contact: Shelly Ferens, 945-6713

Date: April 22, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: PROVINCIAL MUNICIPAL SUPPORT SERVICES – OVERVIEW

The Provincial Municipal Support Services Division (PMSS) builds municipal capacity to ensure effective, efficient and accountable local governments that are positioned for long-term sustainability. The Division establishes and maintains a relevant and enabling policy and legislative framework for municipalities in the Province, and delivers comprehensive funding support to all 137 Manitoba municipalities in support of their initiatives and services. PMSS also delivers support to elected and non-elected municipal officials to build governance, operational and financial capacity, and frequently acts as a liaison between other government departments and municipalities.

PMSS is also responsible for managing the Building Manitoba Fund (BMF), which is Manitoba's tax sharing program for providing a share of provincial tax revenues to municipalities across Manitoba for roads, transit and other infrastructure priorities. The annual amount credited to the BMF each year is equivalent to the greater of 1/7th of provincial sales tax revenues, or 4.15% of estimated provincial personal and corporate income tax revenues, 2 cents per litre of estimated provincial gasoline tax revenues, and 1 cent per litre of estimated provincial diesel fuel tax revenues. This amount is set in legislation under the *The Municipal Taxation and Funding Act*.

PMSS also delivers property assessment services and is responsible for property tax policy. Assessment services are delivered to municipalities outside Winnipeg, including producing assessment notices and property tax statements. Information technology support is also provided for all Departmental programs and services.

Key personnel:

Laurie Davidson, Assistant Deputy Minister, Provincial-Municipal Support Services

Mike Sosiak, Director, Municipal Finance and Advisory Services

Lloyd Funk, Provincial-Municipal Assessor (Director, Assessment Services)

Debbie Champagne, Director, Information Systems

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

Organizational Structure:

The Division delivers its programs and services through three branches, which are supported by a policy unit:

Municipal Finance and Advisory Services Branch

The Municipal Finance and Advisory Services Branch supports the building and maintenance of strong municipal governments by providing significant financial support through a dynamic funding framework to all municipalities including the City of Winnipeg, as well as capacity-building advisory and consultative services to municipalities outside Winnipeg on administrative, governance and financial matters.

Assessment Services

Assessment Services' delivers equitable, stable and consistent property assessments, mandated under legislation. This is critical to fair and equitable distribution of property taxes amongst property owners and the equalization component of the provincial education funding program, and especially important given the magnitude of property taxation in the overall provincial tax environment. Quality assessments are critical to public trust and confidence in the province's assessment and property tax system.

Municipalities pay the full cost of assessment services delivered to them; 75% of the total cost of assessment services is fully recovered from municipalities and Aboriginal and Northern Affairs, with 25% from Education and Advanced Learning.

Other assessment-related services are delivered to a variety of other individuals and agencies.

Information Systems Branch

The Information Systems Branch supports and improves the delivery of Departmental programs through advanced information technology, developing new systems, and helping redesign business processes. The majority of work is dedicated to supporting the assessment computer system, which is one of the biggest and most complex in Government.

Municipalities pay the full cost of the assessment computer system; 75% of the total cost is fully recovered from municipalities and Aboriginal and Northern Affairs, with 25% from Education and Advanced Learning.

The branch also provides tax billing services to municipalities on a fee for service basis.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

2015/16 Budget:

Executive Administration	\$220.0
Municipal Finance and Advisory Services	\$1,320.0
Assessment Services	\$10,124.0
Information Systems	\$2,536.0
Total:	\$14,200.0 ¹

1. Before recovery of portion of Assessment Services and Information Systems costs from Education and Advanced Learning.

Staffing:

Executive Administration	2.0 FTEs
Municipal Finance and Advisory Services	15.0 FTEs
Assessment Services	124.0 FTEs
Information Systems	9.3 FTEs
Total:	151.3 FTEs

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: Municipal Amalgamation - Current Status

ISSUE:

- 107 municipalities were amalgamated into 47 new municipalities and came into effect Jan. 1, 2015, (13 with 3 partners and 34 with 2 partners). As a result, the size of municipal government has decreased. The total number of municipalities is now 137 (including Winnipeg), a decrease of 60 or 30% from 197. The total number of council members is 913, a decrease of 254 or 22%.
- Now in their second year of operations, almost all municipalities have generally completed most integration tasks and Councils are working to move their communities forward. S.23(1)(a)

S.23(1)(a)

S.23(1)(a)

S.23(1)(a)

CRITICAL BACKGROUND:

- The Province provided amalgamated municipalities with a number of supports, in partnership with the AMM and the MMAA. Supports included: field consultant services, seminars, written resources, ongoing advisory services and grants to support one-time amalgamation costs to all municipalities totaling \$903.5.

Municipal Specific Issues:

West Interlake -

- Challenges facing the municipality following amalgamation, notably the financial status of the former Siglunes, has resulted in continuing council conflict and a Citizen's Group application to the Municipal Board to dissolve the municipality. The Board has scheduled a hearing for May 3. o/s
- Outside Scope

Oakland-Wawanesa -

- S.23(1)(a)

- Efforts, both informal and formal have been made unsuccessfully to resolve the conflict and tension. The Province funded a mediator. Council voted against continuing mediation. S.23(1)(a)
- Council has begun its 2016 budget process. S.23(1)(a)
- The province has no legislated authority to step in and take action.

Issue Specific Issues:

Own – Force Municipal Policing-

- Only two amalgamated municipalities are currently policed by both the RCMP and own-force police; Riverdale (Rivers by Rivers Police Force; Daly by RCMP) and Rhineland (Plum Coulee by Altona Force, and Rhineland and Gretna by RCMP). Both want the whole of the municipality policed by own-force police S.23(1)(a)
- Amalgamation continued status quo in policing arrangements such that policing remained cost-neutral to both the municipality and the province and existing forces continued. However, where an amalgamated municipality had 2 police forces, both can continue to operate for only 5 years. The amalgamated municipality must then decide by Jan 1, 2020, which force will police the whole of the municipality to ensure clear jurisdiction and consistent policing.
- Justice and Municipal Relations are looking at options, taking into consideration fairness, equity, cost neutrality and precedent.

Delayed Payment of Federal Gas Tax Funds -

- Late submission of audited financial statements delays payment of gas tax funds to municipalities. Gas Tax Agreements between the Province and individual municipalities require audited statements to be submitted in order for municipalities to receive their gas tax payments.
- Gas tax payments to amalgamated municipalities are withheld until prior years' statements from all partners are submitted. Gas tax payments are currently being withheld from 8 municipalities because all amalgamation partners have not submitted outstanding statements. The amount of payment delayed totals \$673.9. When all financial statements are submitted the gas tax payments will be released.

Potential Post –Transition Issues:

- The amalgamation regulations of almost all 47 municipalities included transitional measures in place for either 4 or 8 years (1 or 2 council terms) related to:
 - Council structure intended to ensure all citizens' interests were represented. Ward representation and the number of councilors elected to each ward vary on a transitional basis in 39 municipalities.
 - Municipal taxation intended to manage tax shifting, included establishment of differential mill rates or Local Urban Districts (LUD's) in 44 municipalities.
- These measures allow municipalities time to adjust and develop a longer-term solution if necessary. When the transitional period expires, the municipality must adopt the governance and tax framework set out in the Municipal Act, adhered to by all other municipalities.

- S.23(1)(a)



Attachment: Amalgamated Municipalities

Contact: Laurie Davidson, ADM, Provincial–Municipal Support Services

Date: April 19, 2016

AMALGAMATED MUNICIPALITIES

(in effect January 1, 2015)

ATTACHMENT

	Municipality	Former Municipalities	Pop. 2011	Comments
1	Bifrost-Riverton, Municipality	Bifrost RM, Riverton V	3,514	Transitional council structure and Transitional differential mill rates
2	Boissevain-Morton, Municipality	Boissevain T, Morton RM	2,270	Transitional council structure and Transitional differential mill rates
3	Brenda-Waskada, Municipality	Brenda RM, Waskada V	652	Transitional council structure and Transitional differential mill rates
4	Cartwright-Roblin, Municipality	Cartwright V, Roblin RM	1,240	Transitional council structure and Transitional differential mill rates
5	Clanwilliam-Erickson, Municipality	Clanwilliam RM, Erickson T	901	Transitional council structure and Transitional differential mill rates
6	Deloraine-Winchester, Municipality	Deloraine T, Winchester RM	1,485	Transitional council structure and Transitional differential mill rates
7	Ellice-Archie, RM	Ellice RM, Archie RM, St. Lazare V	971	Transitional LUD
8	Emerson-Franklin, Municipality	Emerson T, Franklin RM	2,439	Transitional LUD
9	Ethelbert, Municipality	Ethelbert RM, Ethelbert V	629	Transitional council structure and Transitional differential mill rates
10	Gilbert Plains, Municipality	Gilbert Plains T, Gilbert Plains RM	1,623	Transitional council structure and Transitional differential mill rates
11	Glenboro-South Cypress, Municipality	Glenboro V, South Cypress RM	1,483	Transitional council structure and Transitional differential mill rates
12	Glenella-Lansdowne, Municipality	Glenella RM, Lansdowne RM	1,245	Transitional council structure and Transitional differential mill rates
13	Grandview, Municipality	Grandview RM, Grandview T	1,508	Transitional council structure and Transitional differential mill rates
14	Grassland, Municipality	Cameron RM, Hartney T, Whitewater RM	1,480	Transitional council structure and Transitional differential mill rates
15	Grey, RM	Grey RM, St. Claude V	2,615	Transitional council structure
16	Hamiota, Municipality	Hamiota RM, Hamiota T	1,288	Transitional council structure and Transitional differential mill rates
17	Harrison Park, Municipality	Harrison RM, Park RM	1,799	Transitional council structure and Transitional differential mill rates
18	Lakeshore, RM	Ochre River RM, Lawrence RM	1,401	Transitional council structure and Transitional differential mill rates
19	Lorne, Municipality	Lorne RM, Somerset V, Notre Dame des Lourdes V	3,006	Transitional LUD
20	Louise, Municipality	Louise RM, Crystal City V, Pilot Mound T	1,932	Transitional LUD
21	McCreary, Municipality	McCreary V, McCreary RM	948	Transitional council structure and Transitional differential mill rates
22	Minitonas-Bowsman, Municipality	Minitonas RM, Minitonas T, Bowsman V	1,816	Transitional council structure and Transitional differential mill rates
23	Minto-Odanah, RM	Minto RM, Odanah RM	1,177	n/a
24	Mossey River, Municipality	Mossey River RM, Winnipegosis V	1,186	Transitional council structure and Transitional differential mill rates
25	Norfolk Treherne, Municipality	South Norfolk RM, Treherne T	1,741	Transitional council structure and Transitional differential mill rates
26	North Cypress-Langford, Municipality	North Cypress RM, Langford RM	2,627	Transitional council structure and Transitional differential mill rates
27	North Norfolk, Municipality	North Norfolk RM, MacGregor T	3,762	Transitional council structure and Transitional differential mill rates
28	Oakland-Wawanesa, Municipality	Oakland RM, Wawanesa V	1,618	Transitional council structure and Transitional differential mill rates
29	Oakview, RM	Blanshard RM, Saskatchewan RM, Rapid City T	1,513	Transitional council structure and Transitional differential mill rates and LUD
30	Pembina, Municipality	Pembina RM, Manitou T	2,369	Transitional council structure and Transitional differential mill rates
31	Prairie Lakes, RM	Strathcona, RM, Riverside RM	1,423	n/a

AMALGAMATED MUNICIPALITIES

(in effect January 1, 2015)

ATTACHMENT

	Municipality	Former Municipalities	Pop. 2011	Comments
32	Prairie View, Municipality	Birtle RM, Birtle T, Miniota RM	2,167	Transitional council structure and Transitional differential mill rates
33	Rhineland, Municipality	Rhineland RM, Plum Coulee T, Gretna T	5,772	Transitional council structure and Transitional LUD
34	Riding Mountain West, RM	Shellmouth-Boulton RM, Silver Creek RM	1,390	Transitional council structure and Transitional differential mill rates
35	Riverdale, Municipality	Rivers T, Daly RM	2,019	Transitional council structure and Transitional differential mill rates
36	Roblin, Municipality	Hillsburg RM, Shell River RM, Roblin T	3,284	Transitional council structure and Transitional differential mill rates
37	Rosburn, Municipality	Rosburn RM, Rosburn T	1,046	Transitional council structure and Transitional differential mill rates
38	Russell-Binscarth, Municipality	Russell T, Russell RM, Binscarth V	2,553	Transitional council structure and Transitional differential mill rates
39	Sifton, RM	Sifton RM, Oak Lake T	1,172	Transitional council structure and Transitional LUD
40	Souris-Glenwood, Municipality	Glenwood RM, Souris T	2,439	Transitional council structure and Transitional differential mill rates
41	Ste. Rose, Municipality	Ste Rose du Lac T, Ste Rose RM	1,794	n/a
42	Swan Valley West, Municipality	Benito V, Swan River RM	2,923	Transitional council structure and Transitional LUD
43	Two Borders, Municipality	Arthur RM, Albert RM, Edward RM	1,310	Transitional council structure and Transitional differential mill rates
44	Wallace-Woodworth, RM	Wallace RM, Woodworth RM, Elkhorn V	2,857	Transitional council structure and Transitional differential mill rates and LUD
45	West Interlake, RM	Eriksdale RM, Siglunes, RM	2,206	Transitional council structure and Transitional differential mill rates
46	WestLake-Gladstone, Municipality	Lakeview RM, Westbourne RM, Gladstone T	3,068	Transitional council structure and Transitional differential mill rates
47	Yellowhead, RM	Shoal Lake M, Strathclair RM	1,973	Transitional council structure and Transitional differential mill rates
TOTAL = 47 MUNIS				

SUBJECT: 2015 Provincial Funding to Brandon**ISSUE:**

- Brandon received a total of \$12.9M in overall provincial funding in 2015 – an increase of \$0.3M or 2% over the 2014 level.

BRANDON	2015 (\$M)	2014 (\$M)	Increase / Decrease
<i>Building Manitoba Fund:</i>			
General Assistance	\$7.3	\$7.3	-
Transit	1.9	1.8	\$0.1
Roads	0.4	0.3	0.1
<i>Subtotal Building Manitoba Fund:</i>	\$9.6	\$9.4	\$0.2
Police/Public Safety	1.4	1.4	-
Municipal Programs Grant	0.7	0.7	-
General Support Grant	0.9	0.8	0.1
Other Operating	0.3	0.3	-
<i>Subtotal Operating:</i>	\$3.3	\$3.2	\$0.1
Total	\$12.9	\$12.6	\$0.3

- Note:** The 2015 funding announcement of \$12.9M for Brandon reflects provincial funding for the 2015 calendar year.
- The 2016 level of provincial funding for Brandon has yet to be finalized, pending approval of the Province's 2016/17 Budget. The Province has not provided Brandon with an early indication of its expected 2016 funding level.

CRITICAL BACKGROUND:***Infrastructure and Transit Support (Building Manitoba Fund)***

- Provincial funding for Brandon's infrastructure and transit priorities totaled \$9.6M in 2015 – a \$0.2M or 2% increase over 2014:
 - General Assistance** – unconditional funding for infrastructure maintenance and capital asset renewal.
 - Transit** – operating funding increased nearly 5% to \$1.9M in 2015 through the 50/50 Transit Funding Partnership, sharing 50% of Brandon's net transit operating costs.

- **Roads** – annual funding of \$400.0 was approved in 2015 from the Municipal Road and Bridge Program for Brandon to complete 1.1 km of road renewal work on Victoria Avenue and Maryland Avenue.

Operating Support

- Provincial operating grants to Brandon totaled \$3.3M in 2015, including:
 - **Police / Public Safety** – annual funding to support Brandon police officer and firefighter / paramedic positions.
 - **Municipal Programs Grant** – almost \$0.7M in unconditional funding in support of the City's operating priorities.
 - **General Support Grant** – \$0.9M to offset the City's cost for the Provincial Health and Post Secondary Education Levy (payroll tax).

Contact: Mike Sosiak, Director, Municipal Finance and Advisory Services

Date: April 18, 2016

SUBJECT: 2015 Provincial Funding to Other Municipalities**ISSUE:**

- Other municipalities outside Winnipeg received a total of \$135.4M or 30% of the overall provincial funding. This reflects the approved 2015 funding level announced when the Province's 2015 Budget was tabled.

OTHER MUNICIPALITIES	2015 (\$M)	2014 (\$M)	Increase / Decrease
<i>Building Manitoba Fund:</i>			
General Assistance	\$45.5	\$45.5	-
Transit	4.1	3.9	\$0.2
Water / Sewer	17.1	17.1	-
Roads	18.8	15.3	3.5
Other Capital	21.7	21.7	-
<i>Subtotal Building Manitoba Fund:</i>	<i>\$107.2</i>	<i>\$103.5</i>	<i>\$3.7</i>
Police/Public Safety	2.1	2.1	-
Municipal Programs Grant	8.0	8.0	-
Other Operating	18.1	17.6	\$0.5
<i>Subtotal Operating:</i>	<i>\$28.2</i>	<i>\$27.7</i>	<i>\$0.5</i>
Total	\$135.4	\$131.2	\$4.2

- Note:** The 2015 funding announcement of \$135.4M for other municipalities reflects provincial funding for the 2015 calendar year.
- The 2016 level of provincial funding for other municipalities has yet to be finalized, pending approval of the Province's 2016/17 Budget. S.19(1)(b)(e)

CRITICAL BACKGROUND:***Infrastructure and Transit Support (Building Manitoba Fund)***

- Provincial support for infrastructure and transit totaled \$107.2M in 2015 – a \$3.7M or 3.5% increase over 2014:
 - General Assistance** – unconditional funding for infrastructure maintenance and capital asset renewal.

- **Transit** – operating funding to Brandon, Thompson, Flin Flon and Selkirk increased by 5% through the 50/50 Transit Funding Partnership. Provincial funding for handi-transit services across Manitoba also increased by 5% through the Mobility Disadvantaged Transportation Program.
- **Water / Sewer** – \$16.8M in annual funding was provided for water and sewer facility upgrades through the Municipal Water Infrastructure Fund, administered by the Manitoba Waster Services Board.
- **Roads** – \$14.0M in 50% cost-shared roads funding was approved in 2015 for the Municipal Road and Bridge Program. A total of 107 municipalities received funding in 2015 for the renewal of over 500 km of municipal roads. Up to \$2.0M in cost-shared funding was also available for municipal bridge projects.

The Province also provided \$2.75M in annual funding for road repair through a long-standing arrangement with 12 rural municipalities that were formally Local Government Districts.

Operating Support

- Municipalities outside of Winnipeg received operating support totaling \$28.2M in 2015, including:
 - **Police / Public Safety** – annual funding to support police and firefighter positions, and firefighter training for municipalities that operate volunteer fire departments.
 - **Municipal Programs Grant** – \$8.0M in unconditional funding is distributed to municipalities outside Winnipeg through a base grant of \$5.0 plus a per capita allocation.
 - **Other Operating** – support includes formula-based General Support Grants to offset the cost of the Provincial Health and Post Secondary Education Levy (payroll tax) for municipalities subject to this tax.

This also includes grants-in-lieu of taxes on provincially-owned properties paid by Municipal Relations and Manitoba Hydro. Note: Additional grant-in-lieu of taxes (GIL) paid by other Crown Corporations (Liquor and Lotteries, MPIC, etc.) are not included in this funding level.

For 2016, the estimated GIL amount for other municipalities is \$25.4M (including all provincial departments and Crown Corporations).

Contact: Mike Sosiak, Director, Municipal Finance and Advisory Services
Date: April 18, 2016

SUBJECT: 2015 Provincial Funding to Winnipeg**ISSUE:**

- Winnipeg received a total of \$322.8 million in 2015 – approximately 70% of the overall provincial funding support to municipalities. This reflects the approved 2015 funding level for Winnipeg announced when the Province's 2015 Budget was tabled.

WINNIPEG	2015 (\$M)	2014 (\$M)	Increase / Decrease
<i>Building Manitoba Fund:</i>			
General Assistance	\$52.1	\$52.1	-
Transit	50.1	46.9	\$3.2
Roads	50.0	50.0	-
Build Winnipeg Partnership	5.0	-	5.0
Recreation	17.2	17.2	-
Other Capital Grants	37.4	38.3	(0.9)
<i>Subtotal Building Manitoba Fund:</i>	\$211.8	\$204.5	\$7.3
Police/Public Safety	35.2	34.8	0.4
Other Operating	49.8	49.1	0.7
<i>Subtotal Operating:</i>	\$85.0	\$83.9	\$1.1
Other Support	26.0	25.6	0.4
Total	\$322.8	\$314.0	\$8.8

- Note:** The 2015 funding announcement of \$322.8M for the City of Winnipeg reflects provincial funding for the 2015 calendar year.
- The 2016 level of provincial funding has yet to be finalized, pending approval of the Province's 2016/17 Budget. S.19(1)(b)(e)

CRITICAL BACKGROUND:***Infrastructure and Transit Support (Building Manitoba Fund)***

- Provincial funding for Winnipeg infrastructure and transit priorities totaled \$211.8M in 2015 – a \$7.3M or 3.6% increase over 2014:
 - General Assistance** – unconditional funding for infrastructure maintenance and capital asset renewal.

- **Transit** – includes \$40M through the 50/50 Transit Funding Partnership, sharing 50% of the net operating costs of Winnipeg Transit, along with capital funding for transit bus purchases and initial funding towards the Province's commitment for the Stage 2 Southwest Transitway and Pembina Underpass project.
- **Roads** – \$50.0M to renew regional and local streets, bridges, lanes and sidewalks.
- **Build Winnipeg Partnership** – \$5.0M in new funding as the Province's share of Mayor Bowman's Build Winnipeg Partnership to support the development of a long-range strategy for infrastructure investment. Project(s) to receive this funding to be jointly determined with the City.
- **Recreation** – \$17.2M for recreation and community facilities projects, including funding for renovations of the St. John's and Cornish libraries and re-opening of the Sherbrook Pool through the Manitoba Winnipeg Infrastructure Agreement and support for community centres and other community facilities like parks and athletic fields through the Winnipeg Community Infrastructure Program.

Operating Support

- Provincial operating grants to Winnipeg totaled \$85M in 2015 – an increase of \$1.1M or 1.3% from 2014:
 - **Policing** – \$18.9M in annual on-going funding for the Winnipeg Police Service:
 - On-going funding towards the cost of 127 City police officers;
 - Support for other policing and public safety initiatives including the Police Helicopter, Cadets, Warrant Enforcement Unit and Main Street Project.
 - **Fire / Paramedic** – \$16.3M to support firefighting and paramedic services:
 - \$11.25M for City ambulance services, to share 50% of the net cost;
 - Additional support for firefighting and paramedic services, including 20 full-time firefighters for the Sage Creek station.
 - **Other Operating Support** – \$49.8M, including unconditional funding through the Municipal Programs Grant and General Support Grant programs, as well as targeted support for City mosquito larviciding and Dutch Elm Disease Control programs.

Other Support

- Winnipeg also received \$26M in other provincial funding, including:
 - **Winnipeg Hydro Sale Agreement** – annual payments to the City, provided in perpetuity by Manitoba Hydro for the purchase of Winnipeg Hydro in 2002.
 - **Grants-in-lieu of Taxes** – payment in lieu of municipal property taxes on provincially-owned properties paid by Municipal Relations and Manitoba Hydro. Note: Additional grant-in-lieu of taxes (GIL) paid by other Crown Corporations (Liquor and Lotteries, MPIC, etc.) are not included in this funding level.

For 2016, the estimated GIL amount for Winnipeg is \$18.4M (including all provincial departments and Crown Corporations).

Contact: Mike Sosiak, Director, Municipal Finance and Advisory Services

Date: April 18, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS**SUBJECT: Current City of Winnipeg Major Projects**

Project	Description / Current Status	Prov. Commitment (\$000s)
Wastewater Treatment Plants	Upgrades to City's 3 wastewater treatment plants – West End, South End and North End plants. Construction complete on West End. Construction currently in progress on South End and North End facilities – expected completion of South End plant in 2019 and North End plant after 2019.	\$330,000.0
Stage 2 Southwest Rapid Transit / Pembina Underpass	Extension of Southwest Rapid Transitway from Pembina / Jubilee to the U of M; widening of Pembina Underpass. Design / engineering complete. Construction to start Summer 2016 – expected completion November 2019.	230,000.0
Waverley St. Underpass	Construction of new underpass on Waverley St. at CN Rail mainline; related street widening / intersection improvements. Preliminary design completed. Detailed design in 2016. Construction expected to start in 2017.	45,900.0
Transit Garage	Expansion / renovation of two Winnipeg Transit garages – Osborne St. South and Main St. Construction complete on Osborne St. garage. Construction in progress on Main St. garage.	20,000.0
Assiniboine Park – Diversity Gardens	Development of Canada's Diversity Gardens in the southeast section of Assiniboine Park as part of the Assiniboine Park's Formal Gardens. Includes indoor garden structure with public use space, restaurant, retail, etc. and outdoor gardens. Project approved-in-principle S.19(1)(b)(e)	15,000.0
Winnipeg Art Gallery	Expansion of Winnipeg Art Gallery to house new Inuit Art exhibit. Project approved-in-principle S.19(1)(b)(e)	15,000.0

Project	Description / Current Status	Prov. Commitment (\$000s)
Concordia Wellness Centre	Construction of new health and fitness facility across from Concordia Hospital, including indoor track, weight room, massage therapy, therapy / fitness pool, health education / administration space and leased tenant space for clinics, retail shops and day care facility. Project approved-in-principle S.19(1)(b)(e)	14,576.3
Dakota Community Centre	Expansion of Dakota Community Centre – Jonathon Toews Sportsplex. Construction of new field house including gym, walking / running track and multi-purpose rooms. Expected completion June 2017.	\$7,000.0
Maples Community Centre	Expansion community centre including new multiplex facility with 8-court gym field house, walking track, fitness centre and administrative space. Project approved-in-principle S.19(1)(b)(e)	7,000.0
National Research Council (NRC) – Factory of the Future	Infrastructure servicing (road, water / sewer) required for proposed construction of new manufacturing research facility in airport vicinity. Project approved-in-principle S.19(1)(b)(e)	5,400.0
St. James Civic Centre	Expansion of Civic Centre, including increased multi-purpose space to accommodate recreation programming needs of the St. James 55+ Seniors' Centre. Design / engineering work scheduled for 2016. Construction expected to start in 2017.	3,900.0
St. John's & Cornish Libraries	Accessibility upgrades to both libraries, including installation of new elevators, fire safety and washroom upgrades. Design and structural assessment is currently underway. Construction expected to start in 2016 – expected completion in 2017.	2,250.0
Sherbrook Pool	Major renovations required to re-open the Sherbrook Pool. Construction is in progress – expected completion in 2016.	1,000.0
TOTAL		\$697,026.3

SUBJECT: Building Manitoba Fund

ISSUE:

- The Building Manitoba Fund (BMF), established in 2005, is the Province's main funding arrangement, providing municipalities with a share of provincial tax revenues. The majority of provincial funding support to municipalities is provided through this Fund. A total of \$324.5 million was provided from the BMF in 2015 (Attachment A).
- This funding is guaranteed in provincial legislation – *The Municipal Taxation and Funding Act*. The Act sets out the amount credited to the BMF each year, based on the revenue sharing formula. The amount shared each year is equal to the greater of:
 - 1/7th of Provincial Sales Tax (PST) revenues; or
 - 4.15% of provincial income tax, 2 cents per litre of gasoline tax and 1 cent per litre of diesel fuel tax.
- Municipalities currently receive 1/7th of PST revenues, as this is the greater amount.

CRITICAL BACKGROUND:

- Provincial revenue sharing with municipalities started in 1976 with the introduction of Provincial Municipal Tax Sharing (PMTS) payments and has evolved over time. Annual PMTS payments were based on a share of personal and corporate income tax revenues and provided as unconditional grants.
- The Province established the BMF in 2005, expanding provincial income tax sharing to include new fuel tax sharing. Through the BMF, the Province continued to provide municipalities with unconditional grants through a share of provincial income tax revenues. New shared fuel taxes were targeted to roads and transit, in response to municipalities' request for a share of existing provincial fuel taxes for road renewal and transit operations.
- The BMF was changed to its current structure in 2011, sharing 1/7th of PST revenues with all funding targeted to infrastructure and transit. This change was made in response to municipalities and the public, who identified support for infrastructure as the top priority.

- Currently, the BMF funding is the source of funding for a number of unconditional and conditional grant programs:
 - **Unconditional General Assistance grants (\$97.5M)** comprise more than 30% of the BMF. These grants are distributed on a two-tiered, per capita basis. Municipalities use their funds to maintain or renew their infrastructure and must report to the Province at the end of the year on how these funds were spent.
 - **Conditional grants (\$227M)** comprise almost 70% of the BMF. These funds are provided for roads and bridges, recreation facilities, transit projects, water and sewer facilities and other infrastructure through various provincial and federal / provincial grant programs. This also includes operating support for municipal transit systems in Winnipeg, Brandon, Selkirk, Thompson, and Flin Flon as well as support for handi-transit services in 69 communities across Manitoba.
- In addition to infrastructure funding from the BMF, Manitoba also provides operating grants to municipalities for services such as policing, fire and paramedic services in Winnipeg, Brandon and other municipalities. All municipalities also receive unconditional Municipal Programs grants to help offset the cost of delivering municipal services to their citizens.

Contact: Mike Sosiak, Director, Municipal Finance and Advisory Services

Date: April 18, 2016

BRIEFING MATERIALS

ATTACHMENT A - BUILDING MANITOBA FUND

2015 FUNDING TO MUNICIPALITIES

GRANTS	\$M	% OF TOTAL
General Assistance (Unconditional Grants)	\$97.5M	30%
Roads and Bridges	68.8M	21%
Transit (Operating & Capital)	54.2M	17%
Water / Sewer	26.4M	8%
Recreation	22.0M	7%
Canada – Manitoba Agreements (Major Projects)	33.9M	10%
Other Capital	21.7M	7%
TOTAL	\$324.5M	100%

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: Property Assessment -Taxation

CRITICAL BACKGROUND:

- Taxpayers generally view property assessment and taxation as synonymous because assessment is the basis for raising and distributing municipal and school taxes (school division Special Levy and provincial ESL). Property taxation is a significant source of revenue; ~\$2.0 B in total in 2015 (\$954M muni, \$1.1B school), exceeded only by provincial income and sales tax.
- The objectives of the assessment - property tax system are equity and fairness; consistency and comparability; stability; transparency; efficiency and acceptability.
- Assessment Services delivers comprehensive assessment services to all municipalities, except Winnipeg related to 427,000 properties with a market value of \$79.8B and a taxable value of \$32.5B in 2016. Assessment services are comprised of legislated programs, including: bi-annual reassessment, annual maintenance, notably property inspections/ reviews, and appeal hearings. Services are fully cost-recoverable with municipalities paying 75% and Education paying 25%.
- Property assessments are guided by a legislated framework set out in *the Municipal Assessment Act*. Key elements of the framework include:
 - 2-year reassessment cycle – next reassessment is 2018. The 2-year cycle has significantly moderated tax shifting due to market value assessment changes.
 - Market value, at a point in time, is the basis for assessments – Reassessment 2018 will be based on April 1, 2016 market values.
 - Two level appeal process – local Boards of Revision and the Municipal Board.
 - Procedural uniformity – in administering the roll and conducting assessments to ensure consistency, fairness, equity.
 - 10 property classes for tax purposes – residential (single family, condos, apts), farm and commercial are the main classes.
- Property taxation, both municipal and school is based on assessment and in Manitoba is an “ad valorem tax” using a uniform mill rate. Tax policy, or who pays what, is set out in the portioning regulation. Portions are the percentage of market value assessment subject to taxation. Portions set by the province control the impact of market value assessment. Tax portions for the property classes are:

• Residential	45%	Pipeline	50%
• Condos	45%	Railway	25%
• Apartments	45%	Recreational	10%
• Commercial	65%	Institutional	65%
• Farm	26%	Higher Education	0%

- The tax portions for the 10 property classes were first set in 1990 when market value assessment was implemented to maintain class share of taxes at that time. A 10 - year portioning strategy to adjust portions to achieve equity was also put in place and fully completed in 2001. Portions have not been adjusted since that time, with the exception of the farm class which was reduced from 30% to the current 26% in 2002.

As a result, the percentage share of total property taxes paid by major property classes has shifted province-wide from 1990 (portions introduced) to 2002 (portions complete) to 2014 (available data). Percentage share of total taxes by class:

	1990	2002	2014
Residential	46.94%	50.30%	53.33%
Condos	0.84%	2.20%	2.90%
Apartments	10.18%	4.60%	5.16%
Commercial	30.92%	31.00%	27.24%
Farm	5.78%	6.60%	7.35%

- The percentage share of property taxes paid by the property classes above reflects gross taxes. Existing property tax credits and rebates, including the Education Property Tax Credit, Senior's School Tax Rebate and Farmland School Tax Rebate, mitigate education taxes. Credits and rebates totaled \$ 392.3M in 2015/16.
- The property tax framework also provides municipalities with tools to manage local tax issues, including: authority to vary property class portions for municipal tax purposes, subject to provincial regulation, flexibility to phase-in tax increases, and broad powers to establish municipal tax credit and grant programs.

ISSUES:

Reassessment 2016:

- Reassessment 2016 came into effect January 1, 2016 and updated all property assessments to 2014 market values. These assessments are being used in the setting of 2016 education and municipal property taxes. Winnipeg has set its 2016 budget and mill rates. The budget process is underway in all other municipalities and the tax levies must be set by May 15.
- The key tax pressures resulting from Reassessment 2016 are:
 - Farm property class tax increases are significant ~ 15% in total.
 - Winnipeg commercial properties see significant tax increases. Taxes are shifting off residential properties onto commercial properties.
 - Localized tax shifting is significant in the oil producing municipalities in the south-west. Taxes are shifting to residences and farms from oil wells.

Rural municipal councils, in their budgeting process, are actively looking at ways to manage the tax shifting onto farm properties.

Railway Assessment and Taxation:

- Currently railway roadway property is taxed on 25% of its assessed value (tax portion). The tax portion for pipelines is 50% and for other commercial properties is 65%. The railway tax portion has been in place since 1992.
- Municipalities have called for an increase to the current tax portion of railway property to increase taxes paid by railways given the impacts to municipalities of rail accidents and cost of maintaining rail crossings, etc.

Two-year Assessment Cycle Impact on Property Reviews /Inspections:

- The period between Reassessments was shortened to 2-years from 4-years in 2010. This has resulted in more current property values, assessments more understandable and relevant to taxpayers, and reduced property tax shifting at reassessment.
- The requirement to complete the Reassessment every 2 years has put pressure on assessors' ability to complete property reviews /inspections, a key component to an accurate and up-to-date assessment roll. Approximately 3,000 to 4,000 new properties are added annually increasing the tax base.
- Municipalities have raised concern about the number of property reviews / inspections. Assessment Services is examining and implementing new ways of delivering review / inspection services, including use of aerial photography (pictometry), use of data collectors, technology in the field, reengineering processes, notably building inspection reports, etc.

Condo Groups Lobbying for Property Tax Reduction:

- Condo groups, particularly in Winnipeg, are of the view that condos pay an inequitably high level of property tax on condos in relation to single family residences. This view is based on the assumption that condos are a more efficient and effective form of development that uses less municipal services.
- Condo owners have called specifically for a reduction in the tax portion for condos from the current 45% which would result in a decrease in property tax. Currently all residences, single family, apartments and condos, are taxed on 45% of market value assessment.

Base Tax /Minimum Tax:

- In some municipalities there is a discrepancy in taxes paid by lower value homes vs. higher value homes for the same services. This is exacerbated in municipalities in rural Manitoba with mostly older housing stock and fewer newer housing developments which has resulted in a very few property owners paying a disproportionate share of taxes.
- In response, municipalities have asked for authority to levy a base or minimum tax. AMM passed a resolution at the 2015 Convention calling for a base / minimum tax.

S.17(2)(e)(g) Tax Sale:

- S.17(2)(e)(g) continues to seek compensation from the province for loss of S.17(2)(e)(g) in a City of Winnipeg tax sale in 1983. S.17(2)(e)(g) is of the view that unclear provisions in *The Municipal Assessment Act* (subsequently amended) and a legal interpretation by the City that resulted in property owners' right to appeal assessments being curtailed led to a denial of due process and natural justice. S.17(2)(e)(g) has made a FIPPA application for all documents.

Contact: Laurie Davidson ADM, Provincial-Municipal Support Services

Date: April 19, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: City Integrity Commissioner / Municipal Conflict of Interest Commissioner

ISSUE:

- Winnipeg City Council approved the creation of an Office of an Integrity Commissioner (December 2015) and asked the Province to amend legislation (The City Charter and Municipal Council Conflict of Interest Act) to provide the Commissioner with investigative powers to investigate complaints from the public, council members and City officials, with findings reported to Council. The City is currently establishing an Office of the integrity Commissioner, but without full powers of investigation.
- Manitoba previously committed to amend legislation to provide for a City of Winnipeg Integrity Commissioner with the necessary investigative powers to be effective.
- Subsequently, The Law Reform Commission (LRC) released its report *Modernizing The Municipal Council Conflict of Interest Act: Accountability, Enforcement & Oversight* (Jan 2016). The LRC report contains 18 recommendations to improve the remedial and enforcement provisions of *The Municipal Council Conflict of Interest Act* (MCCIA). Broadly speaking, the recommendations - which would apply to all municipalities - provide for two key changes:
 - a broad range of penalties to be imposed on a council member who is guilty of a conflict of interest, including fines, suspension, disqualification, etc. in place of the current “all or nothing” penalty of disqualification from council, which Courts are reluctant to impose for lesser violations of the MCCIA; and
 - establishment of a municipal Conflict of Interest Commissioner with four key roles: advice and guidance to council members; education of council members and the public; investigation of alleged conflicts, and enforcement. Three models are put forward with no recommended approach. In all models, the public would be able to make a complaint to the Commissioner. Currently the public can only apply to the Courts.

Although not a recommendation, the LRC suggests considering expanding the mandate of a municipal Conflict of Interest Commissioner to include administration and enforcement of municipal Codes of Conduct, including Winnipeg's.

- Given the LRC's recommendations and the overlap between a municipal Ethics Commissioner and a municipal Conflict of Interest Commissioner, the former Government referred the LRC report to the Manitoba Conflict of Interest Commissioner for review. Preliminary discussion has also begun with City of Winnipeg officials and AMM Officials.

• S.23(1)(a)

CRITICAL BACKGROUND:

City Integrity Commissioner:

- Key components of the City's request included:
 - creation of an Office of Integrity Commissioner on a 2-year term;
 - establishment of the role of the Integrity Commissioner to include advice, both written and oral, to council members related to the Code of Conduct, the MCCIA and other policies and by-laws governing behavior;
 - publishing of an annual report by the Integrity Commissioner; and
 - provision of investigative powers for the Integrity Commissioner to investigate complaints from the public, council members and City officials with findings reported to Council.

The City has begun implementation of an Integrity Commissioner without investigative powers (requires legislative amendment).

- Overlap exists between a Municipal Conflict of Interest Commissioner and an Integrity Commissioner as proposed by the City. An Integrity Commissioner administers the Council Code of Conduct which doesn't address conflict of interest. A municipal Conflict of Interest Commissioner administers the *Municipal Council Conflict of Interest Act*. However, overlap on conflict of interest issues is unavoidable, and in fact the City's current Code of Conduct includes conflict of interest matters.

Also the LRC has suggested consideration be given to expanding the mandate of a municipal Conflict of Interest Commissioner to include administration and enforcement of municipal Codes of Conduct, including the City's.

LRC Report Regarding the MCCIA:

The MCCIA came into force in 1988 and applies to all municipalities in Manitoba. It generally mirrors the Provincial Conflict of Interest Act for MLA's. The Act was ahead of its time when passed but reform is now needed to ensure it is in line with current values of accountability, accessibility and openness.

- The MCCIA key elements include:
 - preventing direct /indirect pecuniary interests / liabilities from affecting decisions made by councils;
 - obligating disclosure of conflict through assets / interests statements, and at meetings through declaration and refraining from voting;

- sanctions for alleged conflict of interest are through the Courts only. Council members or the public must apply to the Courts if they are of the view a council member is in conflict of interest;
- only sanction is disqualification from council and possible restitution; an "all or nothing" sanction.
- The LRC recommended two major changes comprised of 18 recommendations:
 - a broad range of penalties to be imposed on a council member who is guilty of a conflict of interest, including fines, suspension, disqualification, etc. in place of the current "all or nothing" penalty of disqualification which Courts are reluctant to impose .
 - establishment of a municipal Conflict of Interest Commissioner with four key roles: advice and guidance to council members; education of council members and the public investigation of alleged conflicts, and enforcement. (Note: the Manitoba Conflict of Interest Commissioner does not have investigative powers).

Three Commissioner models were put forward with no recommended model, but pros / cons outlined. All provided for the public to make complaints to the Commissioner.

Contact: Laurie Davidson, ADM, Provincial Municipal Support Services
Date: April 26, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: Manitoba Winnipeg Infrastructure Agreement /
Manitoba Winnipeg Infrastructure Fund

ISSUE:

- The City of Winnipeg has received provincial infrastructure funding in recent years through two long-term funding programs: the Manitoba Winnipeg Infrastructure Agreement (MWIA); and the Manitoba Winnipeg Infrastructure Fund (MWIF).
- MWIA replaced the former MWIF program, which is currently winding down to completion. Decisions are required on the following:
 - **MWIA (2012 – 2017)** - Allocation of \$76M in uncommitted funds over the final two years of the program in 2016 and 2017.
 - **MWIF (2006 – 2011)** - Reallocation of \$1.75M currently available due to previously approved MWIF projects either not proceeding, or coming in under budget.
- Winnipeg expects the Province to target these funds to projects in the City's current Capital Budget.

CRITICAL BACKGROUND:

Manitoba Winnipeg Infrastructure Agreement (MWIA)

- The Manitoba Winnipeg Infrastructure Agreement is the Province's current long-term capital funding program for Winnipeg. MWIA is a 6-year, \$220M provincial funding program for joint City / Provincial infrastructure priorities. A signed Funding Agreement outlines the terms and conditions of the MWIA funding program.
- Under this Funding Agreement, provincial funding is committed on a 50/50 cost-shared basis to City projects as follows:
 - \$132M (60%) for transportation infrastructure, including road / bridge construction and renewal, and transit infrastructure.
 - \$88M (40%) for community / recreation facilities, including pools, arenas, community centres, etc.
- Funding is cash flowed as projects are completed, based on claims from the City. The City has 5 years from the date of commitment to claim funds. The Province may extend deadlines, or reallocate funds to another project, at the City's request.

- To date, two-thirds or \$144M in provincial funding has been committed to specific projects, including:
 - Polo Park area street improvements (\$20M)
 - Molson St. widening (\$5M)
 - Winnipeg Transit garage renovations (\$20M)
 - Garden City Indoor Soccer Complex (\$7M)
 - Garden City and East End (Transcona) arenas (\$9.25M) and
 - Dakota Community Centre (Jonathon Toews Sportsplex) Field House (\$7M).

A complete list of MWIA project commitments is outlined in Appendix A.

- Decisions are required on the allocation of the remaining \$76M in program funding over the final two years of the agreement in 2016 and 2017.
- Under the terms of the Agreement, Provincial and City officials jointly develop a list of projects recommended for funding each year. The Province has final approval of all projects to receive funding under the Agreement. [S.23\(1\)\(a\)](#)
- It is intended that MWIA projects are approved in advance of the City's budget process, in order for Winnipeg to include the projects in its annual Capital Budget.
- 2016 MWIA projects were not approved prior to the City adopting its 2016 Capital Budget in March, due to the timing of the Provincial election. Winnipeg has budgeted to receive \$40M in MWIA funding in 2016, and expects the Province to commit these funds to projects in the City's 2016 Budget.

[S.23\(1\)\(a\)](#)

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[S.23\(1\)\(a\)](#)

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Manitoba Winnipeg Infrastructure Fund (MWIF)

- The Manitoba Winnipeg Infrastructure Fund was a 6-year \$81.7M capital funding program for Winnipeg. The Program ended in 2011 and is fully committed. 50/50 cost-shared funding was allocated for City recreation, community revitalization, flood-proofing / land drainage, transit and public safety projects.
- MWIF did not have a funding agreement. Instead the Program's terms and conditions were outlined in a 2005 letter from the former Minister of Municipal Relations. Funding is cash flowed as projects are completed, based on claims from the City. The deadline for the City to claim all MWIF funding is March 31, 2017.
- Under the Program terms, the City can ask the Province to reallocate previously committed funding, if projects either did not proceed or come in under budget. Treasury Board approval was required to reallocate MWIF funds. The Province has previously reallocated MWIF funding at the City's request. This ensured that the full provincial funding commitment was provided to the City.
- A total of \$4.75M in MWIF funding is left to cash flow by the March 31st due date. The City recently sent a letter requesting the reallocation of \$1.75M due to projects coming in under budget. City officials have not identified any specific projects to which it wants these funds reallocated. The City expects to claim the remaining \$3M in MWIF funds by March 31st. S.23(1)(a)

S.23(1)(a)

S.23(1)(a)

S.23(1)(a)

Appendix: Manitoba Winnipeg Infrastructure Agreement Project Listing

Contact: Mike Sosiak, Director, Municipal Finance & Advisory Services
Date: April 25, 2016

APPENDIX A

**MANITOBA WINNIPEG INFRASTRUCTURE AGREEMENT
PROJECT LISTING**

2012 – 2015

Projects	Provincial Commitment \$000s
Transportation Infrastructure:	
Polo Park Infrastructure Improvements	\$ 20,000.0
Molson Street Widening	5,000.0
Local and Regional Streets	47,025.0
Transit Garages	20,000.0
Sub-Total	\$92,025.0
Community / Recreation Facilities:	
Pools, arenas, community centres (various minor upgrades)	\$11,700.0
Building Communities Initiative II – Phase 2	5,000.0
Garden City and East End (Transcona) Arenas	9,250.0
Dakota Community Centre (Jonathon Toews Sportsplex) Field House	7,000.0
Machray Splash Park	125.0
Garden City Indoor Soccer Complex	7,000.0
Cornish Library	1,125.0
St. John's Library	1,125.0
Other library projects	1,175.0
Pools (major upgrades, incl. Sherbrook, Pan Am, and Seven Oaks Pools)	4,794.5
Parks and Open Spaces	2,847.2
Active Transportation	1,200.0
Sub-Total	\$52,341.7
TOTAL PROJECT COMMITMENTS	\$144,366.7
UNCOMMITTED FUNDS	\$75,633.3

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: Stage 2 Southwest Rapid Transitway / Pembina Underpass Agreement

ISSUE:

- Manitoba confirmed in July 2015 that it will contribute up to \$225M, plus interest (capped at \$5M), to the \$587.3M Southwest Transitway / Pembina Underpass project. Canada will contribute \$137M through P3 Canada to be paid upon substantial completion. Winnipeg will contribute \$225M through annual P3 lease payments to its P3 proponent starting in 2020 (\$16.5M per year) over a 30-year period.
- A funding agreement for the provincial contribution is currently being finalized.
- Decisions are required on the signing of the funding agreement. S.23(1)(a) Winnipeg must have a signed funding agreement with the Province to proceed with its borrowing by-law to secure its share of the project costs. The City must pass its borrowing by-law at the May 18th Council meeting prior to awarding the contract to the successful P3 proponent.
- City officials have indicated any delays in signing the funding agreement would delay the awarding of the construction contract, scheduled for mid-June 2016.
- The federal government recently announced changes to the cost-sharing formula for P3 Canada – funded projects; increasing the federal share from 25% to 33.3%.

- S.23(1)(a)

- S.19(1)(e); S.23(1)(a)

- S.19(1)(e); S.23(1)(a)

- S.19(1)(e); S.23(1)(a)

- S.19(1)(e); S.23(1)(a)

CRITICAL BACKGROUND:

Stage 2 Southwest Transitway / Pembina Underpass Agreement

- The City is ready to start construction of the Stage 2 Southwest Transitway project in 2016, which involves construction of a dedicated transit corridor from Pembina and Jubilee to the U of M, as well as widening of the Pembina Underpass. The estimated total cost is \$587.3M, scheduled to be complete in November 2019.
- The Province committed up to \$225M, plus interest, to share 50% of the project cost net of federal contributions. Provincial funding will be sourced from the Building Manitoba Fund (BMF) and is reflected within the current multi-year BMF forecast.
- S.19(1)(e); S.23(1)(a)
[Redacted]
- S.19(1)(e); S.23(1)(a)
[Redacted]
- S.19(1)(e); S.23(1)(a)
[Redacted]
- S.19(1)(e); S.23(1)(a)
[Redacted]
- S.19(1)(e); S.23(1)(a)
[Redacted]
- Provincial funding was structured based on funding projected to be available within the BMF over the next 5 to 7 years. The City agreed to the proposed payment schedule and agreed to interim finance \$112M in provincial contributions to be made post completion, subject to the Province paying all related interest costs to a \$5M cap. S.23(1)(a)
[Redacted]
- Negotiations on the terms and conditions of the funding agreement are ongoing and expected to conclude shortly. Agreement provisions to be finalized include:
 - City's recognition of the full \$7.0M advance payment for the Pembina Underpass
 - S.23(1)(a)
[Redacted]
 - Performance bonding (City did not include performance bond requirements in the P3 contract RFP)
 - Eligible P3-related project costs.

Provincial Share of Stage 2 Transitway Operating / Maintenance Costs

- Under provincial legislation, the Province is required to share 50% of the annual operating and maintenance costs of the Stage 2 Southwest Transitway once construction is complete in 2020.
- The City will engage its P3 contractor to maintain the transitway over a 30-year timeframe, starting in 2020. The City will make annual payments to the P3 contractor to cover these costs.
- S.23(1)(a)

Transit Buses - Southwest Transitway

- Winnipeg has requested 50% cost-shared funding for the purchase of 12 new transit buses for operation on the Stage 2 Southwest Transitway. Winnipeg Transit anticipates the need for the additional buses based on projected increased ridership and transit service / route changes resulting from operating the new transitway.
- The total cost of 12 new diesel buses is approximately \$5M - \$6M. The provincial share would range from \$2.5M - \$3M. It is expected the City would make the bus purchase in 2019.
- S.23(1)(a)
- A provincial / city taskforce was struck to examine the integration of electric buses into Winnipeg's transit system. There could be consideration to using electric buses on the Stage 2 Transitway, however no commitments have been made, until the taskforce report is reviewed by senior City and Provincial officials. It is expected that funding would also be required from the federal government to support the integration of electric buses into the City's transit fleet.

Contact: Mike Sosiak, Director, Municipal Finance & Advisory Services

Date: April 26, 2016

SUBJECT: Municipality of West Interlake – Request to De-Amalgamate

ISSUE:

- Challenges facing the Municipality of West Interlake following the amalgamation of the former Siglunes and Eriksdale, notably the financial status of the former Siglunes, has resulted in continuing council conflict and a Citizen's Group application to the Municipal Board to dissolve the municipality. Council is also united in "de-amalgamating" West Interlake but not through dissolution.
- The former Siglunes financial issues, which include recovery of deficits attributable to flood-related expenditures, cash flow issues related to outstanding DFA claims S.23(1)(a) [REDACTED] The former Siglunes citizens only will pay for these past expenditures. Legislative and regulatory provisions ensure this.
- The Municipal Board hearing to dissolve West Interlake is scheduled for May 3, 2016. Following the hearing, the Municipal Board will provide its report and recommendations on the matter to the Minister. The Minister determines what course of action to take, if any, taking into account the Board's recommendations.
- The Department provided legislative and regulatory information on the structure of local government, dissolution of a municipality, and taxation and finance in amalgamated municipalities for the Municipal Board to use in its deliberations.

CRITICAL BACKGROUND:

- The Citizens Group's proposal to the Municipal Board to dissolve does not present a complementary proposal for a new local governance structure post-dissolution. Dissolution results in the municipality ceasing to exist, in whole or in part, and becoming unorganized territory.
- The process for moving from unorganized territory to any form of local government has specific requirements and processes set out in legislation. The requirements and processes are more complex starting from unorganized territory than from a functioning municipality with an elected council. The RM of West Interlake Council passed a resolution creating a committee comprised of Eriksdale Ward councillors and the Reeve to explore annexation of the former Eriksdale by neighboring municipalities.
- The Municipal Board will consider the proposal to dissolve and all information provided by the various parties and provide a report and recommendations to the Minister.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- Separate and apart from the Municipal Board proposal, options for responding to West Interlake's call for "de-amalgamation" could include:

○ S.23(1)(a)

○

○ S.23(1)(a)

○

○ S.23(1)(a)

○

○ S.23(1)(a)

○

The legal processes and requirements related to the options are specific and set out in legislation.

Contact: Laurie Davidson, ADM, Provincial-Municipal Support Services
Date: May 2, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: Leaf Rapids

ISSUE:

- Leaf Rapids was placed under supervision in May 2015 (OIC), with BDO Financial appointed as the Supervisor under authority of the Municipal Act. The Town was in significant financial difficulty as evidenced by a lack of budget, sizable debt, and bank and creditor concerns. It was a last resort action and in the best interests of the municipality and its creditors.
- The current contract with the Supervisor expires June 30, 2016. A decision is [REDACTED]
- The Town can function as an independent, incorporated municipality once its financial situation is fully stabilized and with appropriate continuing supports in place.
- Timing of removal of the Order of Supervision will depend on the results of the risk analysis of the Town's financial position. S.23(1)(a) [REDACTED]

CRITICAL BACKGROUND:

- The Town has seen a gradual decline in its financial position and population since the closure of the HBM&S mine in 2002. The Town has also experienced capacity issues, which impacts its ability to address its financial and other challenges.
- Supervision is a last resort action for Government to take – and is unprecedented for incorporated municipalities. The Council and Chief Administrative Officer (CAO) remain in place and continue to exercise their governance powers with financial matters, subject to the approval of the Supervisor. The Town pays the cost of the Supervisor, approximately \$12.5 per month.
- The financial situation has greatly improved but is still tenuous. As well, governance and administrative capacity remain weak as there is no permanent CAO. The goal is to restore autonomy to the Council as soon as possible. Work continues with a risk analysis of the Town's financial position underway, as well as a plan to transition out.
- Even once financial stability is restored to the Town by the Supervisor, the Town may again be in jeopardy and require further intervention by the Province. There are pending decisions around the future of the Town Centre, including the need for costly major repairs and upgrading. The Town Centre built in 1974, is a 210,000 square foot facility that houses the community's school, recreation centre, health centre, municipal office, retail businesses, etc. The Centre is a provincial asset managed by Accommodation Services, Department of Finance.

- The Town's budget (~\$1.36M) is currently dependent upon the ~\$200.0 annual grant-in-lieu of taxes paid for the Town Centre, which represents 15% of the Town's municipal revenues. Other small urban municipalities, including Northern municipalities are able to manage within a lesser budget.

Contact: Laurie Davidson, ADM, Provincial Municipal Support Services
Date: April 26, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: Municipalities – Specific Issues

ISSUES:

PST and Land Transfer Tax - Transfer of Water Treatment Plant - Thompson, City

UCN Property Tax Credit - Thompson, City

Accommodations Tax - The Pas, Town

Renegotiation of Hudbay Agreement - Snow Lake, Town

Uncollectible Tax Arrears on Crown Land - Lynn Lake, Town

Financial Administration - Gillam, Town

Gimli Recreation Multiplex - Gimli, RM

Closure of the Atomic Energy of Canada (AECL) Site - Pinawa, LGD

PST and Land Transfer Tax – Water Treatment Plant - Thompson, City

- Thompson has requested an exemption from provincial sales tax (PST) and land transfer tax (LTT) payable on the upcoming transfer by Vale of the water treatment plant to the City. The estimated tax is ~ \$1.5M. The Minister of Finance has authority to grant remission orders.

• S.23(1)(a)

• S.23(1)(a)

UCN Property Tax Credit – Thompson, City

- Thompson and the Province entered into an agreement in 2010 to recognize the Province's investment in the University College of the North (UCN) campus and the benefits to the City.
- Under the Agreement, the City is making a \$6.675M total contribution to the project through a municipal property tax credit (equal to 50% of the annual municipal tax to a maximum of \$250.0 /year) on UCN and the MHRC student housing properties,

- Thompson is concerned that annual municipal taxes are less than projected and the contribution will take longer to repay than the original 25 years estimated. The City's contribution is fixed at \$6.675M and it is difficult to say with certainty how long it will take to pay its contribution. For 2016 municipal taxes are expected to increase on the property.
- Thompson is requesting changes to the tax credit and contribution, so the City can retain more municipal tax annually from the property.

Accommodations (Hotel) Tax – The Pas, Town

- The Pas submitted a new Accommodations (Hotel) Tax by-law to the Department of Finance for provincial approval. Municipalities have authority under *The Municipal Taxation and Funding Act* to impose hotel taxes, subject to provincial OIC approval.
- The Pas's new Hotel Tax by-law reflects administrative changes only. The hotel tax remains at 5% and The Pas continues to collect tax under the current by-law. S.23(1)(a)
- For information, 6 municipalities, including Winnipeg, Brandon, Thompson, Flin Flon, The Pas, and Portage currently impose hotel taxes.

Renegotiation of Hudbay Agreement - Snow Lake, Town

- Existing Hudbay mining operations are located outside the boundaries of the Town so are not assessed /taxed. Instead an historic agreement provides for Hudbay to pay a grant-in-lieu of taxes to support municipal and school operations. The Hudbay grant represents ~20% of Snow Lake's revenue.
- The existing agreement expired December 31, 2014. The Town is of the view that Hudbay's grant-in-lieu is too low and will be asking Hudbay for a significant increase for this 2016 budget year. Given the downturn in the mining industry the request is not likely to be well received.
- The Town is asking for an extension to the budget deadline of May 15, to negotiate the 2016 grant-in-lieu with HudBay.
- Snow Lake is also asking the Province for assistance to engage a negotiator /mediator for a new Agreement.

Uncollectible Tax Arrears on Crown Land – Lynn Lake, Town

- Lynn Lake has a long standing concern regarding outstanding taxes (\$101.6) on a number of leased Crown land properties in the municipality and its negative impact on its budget. The Town has repeatedly asked the province for support to address these tax arrears.

- Crown land properties cannot be sold in tax sale. *The Municipal Act* provides municipalities with other tools to collect outstanding taxes, including the ability to seize and sell goods, enforce liens in the courts, and tax sale. However, these other tools however are more difficult and costly to use.
- The Minister advised the Town in October 2015 that Conservation and Water Stewardship, with the support of Municipal Relations, is reviewing options for the collection of arrears, including how to strengthen enforcement of Crown Land leases and potential amendments to *The Crown Lands Act*.

Financial Administration – Gillam, Town

- Gillam receives the majority of its revenues through grants from Manitoba Hydro, paid under the terms of the 1966 funding agreement between Gillam, Manitoba Hydro and the Province of Manitoba.
- Manitoba Hydro raised concerns with the financial administration practices of the Town and undertook an operational review which made a number of recommendations for improvement. Hydro is discussing the recommendations with Council regarding implementation.
- Additionally citizen complaints to Manitoba Hydro resulted in Hydro removing financial records from the Town to investigate the complaint. This investigation is being conducted under the authority of the Agreement.
- In response, Gillam Council passed a resolution notifying the Province and Hydro of their interest in revisiting the 1966 Agreement (March 2, 2016).

Gimli Recreation Multiplex – Gimli, RM

- Gimli has asked the Province to remove the requirement in the Gimli Pool Fund Agreement that \$1.25M currently held by the municipality in a specific purpose reserve be used for an indoor pool. Cabinet (OIC) approval would be required to allow these funds to be used as Gimli requested.
- Gimli is concerned about the high capital and operating costs of an indoor pool, and instead wants to use the funds to expand the RM's existing recreation centre to include a wellness centre, indoor track, multi-purpose space and arena upgrades at a cost of \$12M. A separate outdoor aquatic centre is also proposed.
- The Minister wrote to Gimli (Sept 2015) indicating the Province was open to considering the RM's request, subject to receiving additional information, including the detailed project scope and evidence of community support. Gimli held a public meeting presenting details of the proposed project in March 2016, and are currently undertaking a public survey.
- More recently, the Province agreed-in-principle to provide up to up to \$4.0 million to assist Gimli in constructing a new community multiplex facility, S.19(1)(b)(e) This was communicated to the RM of Gimli in writing on January 19, 2016.

Closure of the AECL Site - Pinawa, LGD

- Pinawa was established as an LGD in 1960 under an Agreement between the Province, Atomic Energy of Canada (AECL) and Pinawa. The Agreement provides for an annual grant-in-lieu of taxes from AECL which represents 32% of Pinawa's municipal revenues.
- The Federal government announced the restructuring of AECL and has contracted the decommissioning and waste management of AECL's Nuclear Laboratories in Pinawa. The site is projected to close December 2023. This will have a significant impact on the community, jobs and the on-going grant-in-lieu of taxes paid by AECL.
- In preparation for the site closure, a committee has been formed and a consultant engaged to examine and pursue other economic opportunities for the Town.
- AECL wants to begin the process to open the Agreement and begin to transfer land to Pinawa to allow it to begin to pursue economic/ business opportunities. AECL also wants to begin discussions on the annual grant-in-lieu of taxes paid.

Contact: Laurie Davidson, ADM, Provincial-Municipal Support Services

Date: April 28, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: COMMUNITY PLANNING AND DEVELOPMENT – OVERVIEW

The Community and Regional Planning Division provides regionally based community planning and development services in eight regional offices. This includes approval of subdivisions, development plan approvals and amendments, general outreach to planning districts, and administration of the Livestock Technical Review Committee and the Special Planning Area for the Inland Port. The Planning, Policy and Programs branch administers the Urban Development Initiatives fund, the Community Revitalization fund, the Building Communities Initiative, the Shoal Lake intergovernmental agreement and develops and amends the provincial planning legislation and policy recommendations related to land use and community development.

Key personnel:

Ramona Mattix, Assistant Deputy Minister, Community Planning and Development

David Neufeld, Director, Community and Regional Planning

Leita Kalinowsky, Director, Policy and Programs

Organizational Structure:

The division has two branches: Community and Regional Planning; and Planning, Policy and Programs.

Community and Regional Planning

The Community and Regional Planning Branch supports the development of healthy, sustainable communities by providing regionally based community planning and development services. Located in eight regional centres across Manitoba and supported by a Winnipeg office, the Branch delivers professional and technical planning services to local planning authorities, northern communities and the public, and carries out the responsibilities delegated to staff under *The Planning Act* and *The Municipal Act*, which includes authority to approve subdivisions, road closures, and the closure of public reserves.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: CENTREPORT PLANNING INITIATIVES

ISSUE:

- On March 8, 2016, *The Planning Amendment Act (Special Planning Areas)* legislation established the SPA and the Inland Port Special Planning Authority (Authority) for the CentrePort lands located in the Rural Municipality of Rosser (Rosser). The legislation also transferred planning authority for land within the SPA from Rosser and the South Interlake Planning District to the Minister.
- The Inland Port Special Planning Area (SPA) offers a single window service approach to streamline development approvals within CentrePort that ensures both public participation and that new development conforms to planning requirements.
- The Authority replaces the previous multi-layer approving authority. It is now the entity that holds hearings on planning and subdivision applications and provides recommendations to the Minister on whether to approve or reject development proposals.
- The Authority was appointed on March 9, 2016 by Order in Council and includes 2 members from Rosser and 1 each from CentrePort Canada, City of Winnipeg, Winnipeg Airports Authority and the Province. The Authority is supported by a Senior Planner from Municipal Relations.

CRITICAL BACKGROUND:

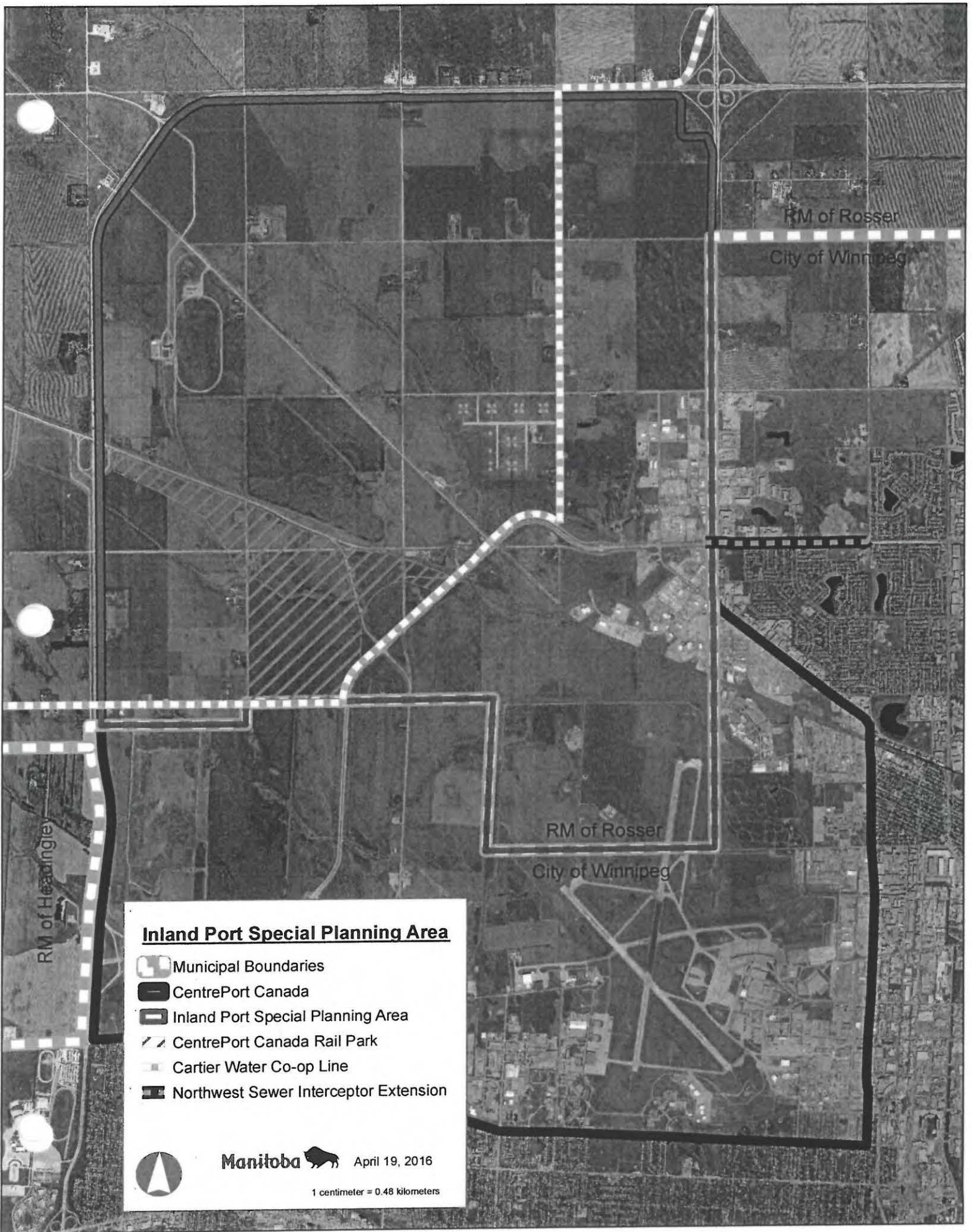
- CentrePort Canada encompasses both the Rural Municipality of Rosser and the City of Winnipeg. The legislation allows the Minister to make a regulation including lands within Winnipeg as part of a Special Planning Area, but requires consultation with the City before this is done. Winnipeg opposes a SPA applying to its lands, and the Province has not taken further action to do so.
- In 2014, government committed to introduce legislation that established a special planning area to support expansion, trade and growth at CentrePort.
- There are two ministerial regulations, also adopted on March 8, 2016, the Special Planning Areas Regulation 49/2016 which details requirements for consultation and approval and the Inland Port Special Planning Area Regulation 48/2016 which forms the Development Plan and Zoning By-law for the SPA.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- Creation of the SPA is a key part of the Province's strategy to support development in CentrePort. It also builds on other provincial investments such as CentrePort Canada Way and development of the CentrePort Canada Rail Park. The Province has also partially funded the main water distribution line through the Cartier Regional Water Co-op and the extension the Northwest Sewer Interceptor, which will connect Rosser with the City's North End Sewage Treatment Plant. An agreement for the construction of the Northwest Sewer Interceptor between the City and the Province has not yet been signed.
- Rosser has proposed a Local Improvement Levy to service existing areas with water distribution from the Cartier Regional Water Co-op line and wastewater collection to the Northwest Interceptor extension. Rosser has not yet agreed to increase their borrowing authority for water distribution and wastewater collection infrastructure.

Contact: Meagan Boles, Community Planning and Development


Date: April 15, 2016



Inland Port Special Planning Area

-  Municipal Boundaries
-  CentrePort Canada
-  Inland Port Special Planning Area
-  CentrePort Canada Rail Park
-  Cartier Water Co-op Line
-  Northwest Sewer Interceptor Extension



Manitoba 

April 19, 2016

1 centimeter = 0.48 kilometers

SUBJECT: FREEDOM ROAD

ISSUE:

- Re-location of the Shoal Lake No. 40 First Nation (SLFN 40) in the early 1900's from their original village site in Manitoba to their current Ontario location on a peninsula, and the construction of the Falcon River diversion channel, resulted in a lack of permanent road access to the community.
- SLFN 40's isolated location, combined with development restrictions to protect Winnipeg's water source, has resulted in dangerous winter road crossings, limited economic development opportunities, and challenges with access to safe drinking water and reliable solid and liquid waste management.

CRITICAL BACKGROUND:

- In 1989, Manitoba, Winnipeg and SL 40 signed a 60-year Tripartite Agreement establishing a \$6M Trust Fund for SL 40, co-funded equally by Manitoba and Winnipeg. The Agreement commits the parties to protect Winnipeg's drinking water by limiting development on SL 40 lands while promoting appropriate economic development opportunities for SL 40 members.
- Canada, Manitoba and Winnipeg are currently cost sharing a detailed design for an all-weather access "Freedom Road". All parties have agreed in principle to equally cost share construction. Terms of a capital funding agreement are under negotiation.
- Chief Redsky has written the funding partners seeking confirmation construction will continue this spring immediately upon the completion of the design phase.
- Two-thirds of Freedom Road will be in Manitoba and one-third will be on reserve and the responsibility of Canada. The road off reserve is proposed to be a Manitoba asset. The responsibility and ownership of the City of Winnipeg's contribution, including two bridges, are in discussion with the City.

S.19(1)(b)(e)

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- S.19(1)(b)(e)



- Manitoba is currently working through its Constitutional Duty to Consult obligations.

Contact: Erin McCleery, Community Planning & Development

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: THE FORKS NORTH PORTAGE PARTNERSHIP

CRITICAL BACKGROUND:

- The North Portage Development Corporation (NPDC) was a tripartite community development corporation established in 1983 by the federal government, Manitoba, and the City of Winnipeg. It was merged with The Forks Renewal Corporation (FRC) in 1994 and now operates as The Forks North Portage Partnership (FNPP).
- The Partnership is governed by a ten-member Board of Directors, with three Directors appointed by each level of government (shareholder). In addition, every shareholder appoints a non-voting representative to the Board. The Deputy Minister of Municipal Relations is currently the provincial representative.
- FNPP has two major roles: (1) property owner of Portage Place; and (2) landowner and manager of The Forks.
- The Forks opened in 1989. It has grown into a destination location for 3–4 million visitors per year. It is also home to some of Manitoba's finest cultural institutions and public attractions - the Children's Museum, the Manitoba Theatre for Young People, the Skateboard Park Plaza and the Riverwalk. Its role as a major visitor's destination was further enhanced with the completion of the Canadian Museum for Human Rights and the interpretive park and heritage site at Upper Fort Garry.
- Each year The Forks North Portage Partnership Board submits its business plan to its shareholders (Canada, Manitoba and Winnipeg). The FNPP Board oversees several business units at North Portage and The Forks sites, including: Forks North Portage Parking; The Forks Market; The Forks Site – Operations; The Forks Site Programming; Communications/Marketing; The Forks Foundation; Security, and Planning/Property Development. The FNPP operates without any government subsidy and pays taxes on the properties it owns.
- They have requested project funding from Manitoba and received assistance for the development of the Skateboard Park, creation of the Riverfront Master Plan, implementation of the South Point Douglas Trail and master planning the development of Railside.
- The 2015 business plan prioritized activities and contained several new initiatives in a number of the business units which are of interest. Under Planning and Property Development, there were four: renovation of the Travel Manitoba building, revitalizing the Market's fast food area, work on the next phase of Railside development, and merging the offices at Portage and The Forks.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- The Parking Unit's new initiatives are focused on increasing revenue by 2%. While the Unit was focused on preparing for the opening of the Canadian Museum of Human Rights (CMHR) in September 2015, renewal of area lighting, a landscape feature near the Children's Museum and enhancing cycling and pedestrian access are new initiatives.
- The Fork's Market is currently the heart of several rehabilitation efforts including new marketing, a tenant leasing review, and development of new revenue streams.
- In 2015, The Fork's Foundation looked at its branding, sponsor recognition and sales focused marketing materials to fortify its partnerships in the community. The Marketing and Communications unit is about creating and strengthening strong partnerships including the Friends of Fort Garry, Downtown Council, and CMHR, with a new initiative on a new "push" based app. The Security unit is creating its own Forks Security Emergency Measures Organization and developing an emergency measures plan as well as expansion of the Events Safety Measures Plan.
- The 2015 Business Plan also contained the 2014/2015 budget. The budget for the fiscal year is \$8.9M with an estimated revenue stream of \$10.8. Half of that revenue comes from parking. The budget is slightly higher than the 2014 budget of \$8.6M
- FNPP has three other areas of focus as directed by its board at present: development of the lands adjacent to The Forks known as Railside; implementation of the Riverfront Master Plan approved by the Winnipeg City Council in 2014 and the sale of the assets at Portage Place. Asset sales and Railside will be covered in separate notes.

Contact: Ramona Mattix, ADM, Community Planning and Development

Date: April 15, 2016


BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: FORKS RAIL SIDE DEVELOPMENT PROJECT

ISSUE:

- In July 2014, the City of Winnipeg endorsed the Parcel 4 – Forks Rail Side Development, including a grant contribution equal to the purchase price of Parcel 4 and the establishment of a municipal Tax Increment Financing (TIF) Zone on the development site. The City's contribution is conditional on confirmation of matching grants by Canada and Manitoba equal to the purchase price of the Parcel 4 property. It is also contingent on confirmation of an additional TIF contribution by Manitoba matching the municipal TIF, to be secured prior to July 16, 2016.

CRITICAL BACKGROUND:

- The Parcel 4 – Forks Rail Side Development project is part of The Forks North Portage Partnership (FNPP) 10-year development plan. The overall vision of the Parcel 4 – Forks Rail Side Development project is based on a 20-year redevelopment period and includes a diversity of housing types, office and retail uses, hotels and restaurants. The project is founded on design innovation sustainability, zero waste, a human scale community and enhanced connectivity between The Forks and the rest of Winnipeg's Downtown. The proposed high quality public spaces will maintain "The Forks" atmosphere desired by private investors.
- In addition to extensive public consultations, FNPP has commissioned a market study to guide the proposed redevelopment. The study provides an in-depth market analysis and feasibility assessment of current market conditions and provides realistic expectations in terms of market demand and absorption. The findings from the study will inform the overall long-term strategy, including implementation and phasing.
- S.19(1)(e); S.23(1)(a)

- FNPP will return to the City in July 2016 to confirm the provincial commitment to use TIF to meet both City conditions. Conditions for provincial support include the City of Winnipeg providing matching municipal TIF support, the City of Winnipeg's commitment to sell the Parcel 4 lands to the FRC, and confirmation of a matching Federal contribution.

Contact: Rayanne Legros, Community Planning and Development

Date: April 15, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: PORTAGE PLACE ASSETS

ISSUE: S.23(1)(a); S.28(1)(b)(c)(ii)(iii) Portage Place

CRITICAL BACKGROUND:

- The North Portage Development Corporation (NPDC) is a tripartite community development corporation jointly established by the Federal and Provincial Governments and the City of Winnipeg in 1983. It was merged with The Forks Renewal Corporation (FRC) in 1994 and now operates as The Forks North Portage Partnership (FNPP).
- NPDC has two major roles. The first is as property owner of Portage Place and the second is landowner and manager of The Forks.
- S.28(1)(b)(c)(ii)(iii)
- S.28(1)(b)(c)(ii)(iii); 23(1)(a)
- S.28(1)(b)(c)(ii)(iii) a shift in the planning and development focus of the Corporation from downtown redevelopment (now the purview and mandate of the City's development corporation arm, CentreVenture) to a waterfront development corporation that acts as a catalyst of further revitalization in the downtown by concentrating on riverfront lands. This is in line with the 20-year vision document, entitled "Go to the Waterfront". This document was adopted by the Winnipeg City Council in 2015.
- The parking garage at Portage Place contributes significant revenue to the operations at The Forks. S.28(1)(b)(c)(ii)(iii) The FNPP owns the land on which the Centre stands, and owns and operates the parkade underneath the Centre. Parking revenue from Portage Place and The Forks reached \$3.1M in the 2014 fiscal year. Over a third of this is attributed to Portage Place.

• S.28(1)(b)(c)(ii)(iii)

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- The current mall owners approached NPDC in December of 2015 to discuss including Portage Place along with all of the North Portage assets S.28(1)(b)(c)(ii)(iii)

- S.28(1)(b)(c)(ii)(iii)

- S.28(1)(b)(c)(ii)(iii)

- S.28(1)(b)(c)(ii)(iii)

- S.28(1)(b)(c)(ii)(iii)

- S.28(1)(b)(c)(ii)(iii)

- S.28(1)(b)(c)(ii)(iii)

- S.28(1)(b)(c)(ii)(iii) In 2014, the Winnipeg Foundation set up the Forks Foundation Endowment Fund (FFEF) to provide a stable source of revenue for The Forks. The Corporation donated \$1.5M to the FFEF that year. The return in the last fiscal year was 4.6%. They propose to donate a portion of the sale proceeds to FFEF. The amount of the donation would be determined based on the annual cash flow requirements into the future. The balance of the sale proceeds would be invested by the corporate investment advisor until needed for RAILSIDE and other projects.

- S.23(1)(a)

Contact: Ramona Mattix, ADM, Community Planning and Development

Date: April 15, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: TAX INCREMENT FINANCING (TIF) FOR THE TRUE NORTH SQUARE AND CONVENTION CENTRE

ISSUE:

- In January 2016, the City of Winnipeg and Province announced up to \$26.6M in TIF for public realm improvements related to the True North Square Development including a Public Plaza, streetscaping and skywalks. These improvements are prepared to be supported under an existing TIF funded initiative called the Sports, Hospitality and Entertainment District (SHED) using incremental property taxes generated by the True North Development.
- The City and Province have also committed to use TIF revenue realized from a new hotel confirmed for 220 Carlton Street to repay \$16M of debt taken out by the RBC Convention Centre to finance its expansion.

CRITICAL BACKGROUND:

- The existing SHED agreement provides up to \$25.0M (\$12.5M each from City/Province) through TIF to support public infrastructure in the SHED in downtown Winnipeg. Approximately \$7.4M has been committed to projects under this agreement, leaving \$17.6M which could be allocated to the True North project, subject to some administrative amendments to this agreement.
- The True North Corporation has submitted a request as an eligible project under SHED Phase 2. The owners have expressed concerns that their project was never formally approved by the Governance Committee for the SHED even though their initial request was sent in December of 2015, with a revised request in April of this year after their major tenant, Scotia Bank, was announced. This is due to the moratorium the City has placed on their development corporation, CentreVenture, in developing new projects or borrowing on the City's behalf until they have a new business plan approved by Council.

• S.19(1)(b)(c)

• S.20(1)(c)

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- The province will be requested to sign an amended TIF agreement for this initiative. An amended agreement will be required for any changes to the administration of the agreement. A new agreement will also be needed S.19(1)(b)(e); [REDACTED]

- S.19(1)(e); S.23(1)(f) [REDACTED]

Contact: Rayanne Legros, Community Planning and Development Division

Date: April 14, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: COMMUNITY AND REGIONAL PLANNING OFFICES – VACANCIES

ISSUE:

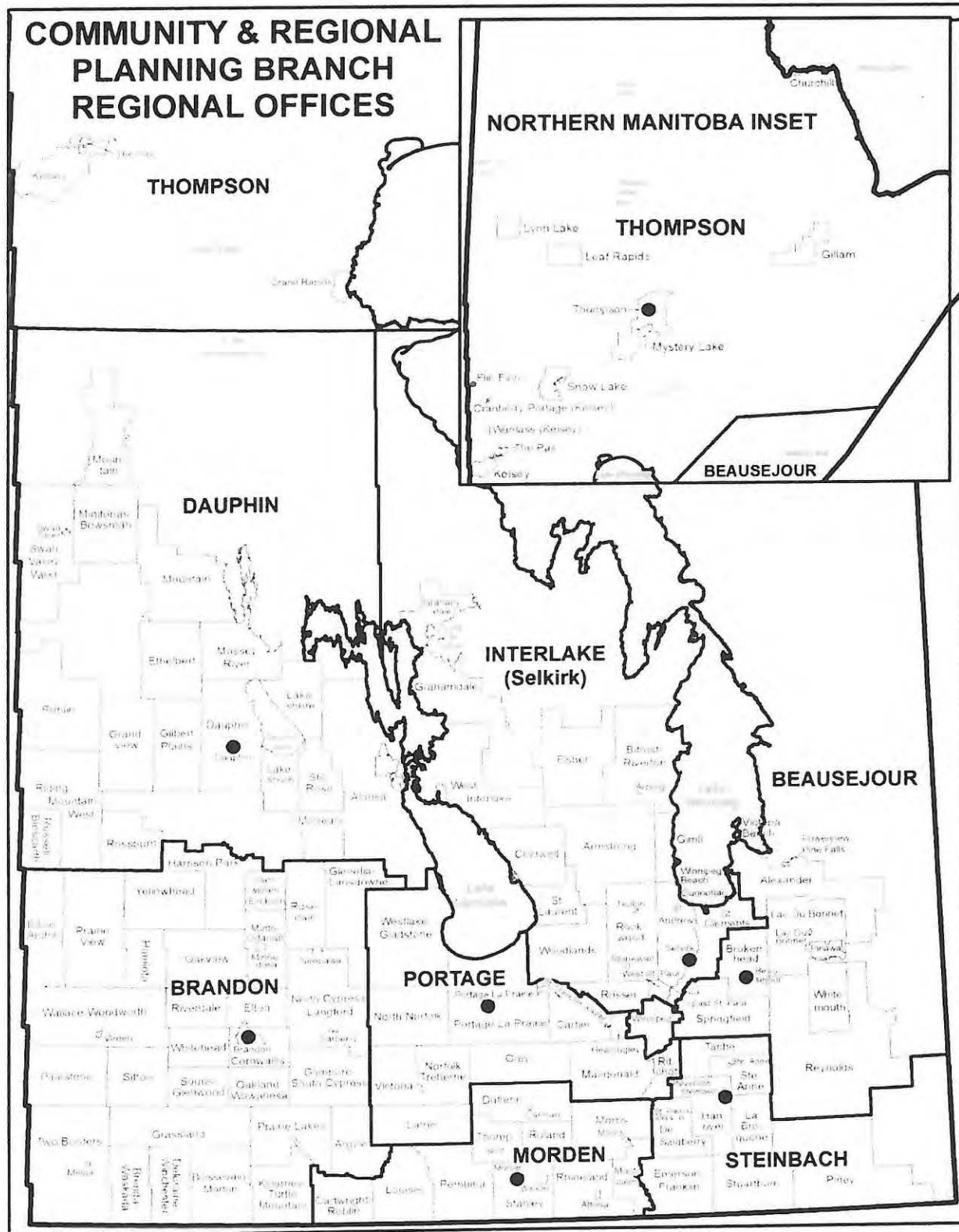
- Several key stakeholders, including the Association of Manitoba Municipalities (AMM), continue to express support for ensuring that the department promptly fills staffing vacancies in rural Community and Regional Planning offices.

CRITICAL BACKGROUND:

- The Community and Regional Planning Branch consists of eight regional offices located in urban centres across Manitoba. The Winnipeg office provides technical, administrative and mapping support (see attached map). The Branch delivers professional and technical planning services to municipalities, planning districts, the development industry and the public.
- Key functions include carrying out delegated responsibilities under *The Planning Act*, such as subdivision approval (staff receive and approve an average of 1,000 subdivisions annually) and providing professional and technical planning support to municipalities and planning districts when preparing, amending and interpreting local development plans and zoning by-laws.
- The Branch also has two regional service centres co-located in the Brandon and Selkirk offices responsible for creating and maintaining tax parcel data for municipalities and the Assessment Services Branch and for preparing and maintaining development plan and zoning by-law mapping for municipalities and planning districts.
- In recent years, several regional offices experienced high levels of staff turnover as a result of a series of retirements and ongoing challenges with attracting and retaining professional staff in some smaller rural centres.
- The Branch has successfully recruited for many professional, technical and administrative vacancies (hiring 11 new employees over the last two years). There are currently some critical vacancies that need to be prioritized and filled to ensure that service levels are maintained and ongoing demands are met.
- Current regional vacancies exist in Morden, Thompson, Dauphin, Selkirk and Portage offices.

Contact: David Neufeld, Director, Community Planning and Development

Date: April 18, 2016



BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: PROVINCIAL TAX INCREMENT FINANCING (TIF)

ISSUE:

- Tax Increment Financing (TIF) is a funding tool that governments can use to encourage specific redevelopment and revitalization projects. It is based on the idea that the future incremental property tax that occurs as a result of investment in a property can be used to support improvements and redevelopment today. This incremental assessment is subject to a Community Revitalization (CR) Levy in lieu of applicable education-related taxes (School Division, Education Special Levy).
- In Manitoba, all municipalities and the Province have enabling TIF legislation (under *The Municipal Act* and the *City of Winnipeg Charter*). To date, TIF has been used in Winnipeg, Brandon and the Capital Region. Some smaller municipalities have begun to express interest in TIF partnerships.
- Municipalities, nongovernmental organizations and the private development community regularly seek economic development partnership opportunities with the Province. TIF support was established as a mechanism to close financing gaps for redevelopment and development projects.
- CR Levy revenues are paid into a provincial fund called the CR Fund, which can be used by the Province to make grants to promote and support significant improvement projects to:
 - revitalize communities or neighbourhoods;
 - encourage economic development;
 - enhance social and cultural development; and
 - preserve heritage properties.

CRITICAL BACKGROUND:

- The Province, under *The Community Revitalization Tax Increment Financing Act* (Act), has the ability to designate specific properties as Community Revitalization Properties for up to 25 years. Provincial TIF may only be used where significant improvements to the property are to occur and where it is in the public interest that the improvements be made (i.e. or wouldn't otherwise occur).
- The Act and provincial policy guides the use of TIF. It is based on a foundation of ensuring school division tax bases and revenues are preserved, and that School Divisions benefit both in the short and longer term from provincial support for economic development derived from TIF.
- School Divisions must be consulted prior to provincial designation of a CR property and the local municipality must agree to the purpose of the provincial CR grant.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- Grants may only be provided to:
 - the person in whose name the CR property is assessed;
 - an occupier of the CR property;
 - the municipality in which the CR property is situated; or
 - a person or organization carrying on activities or projects that are consistent with the purposes of the fund and that are in the same community or neighbourhood as the CR property.
- TIF does not increase annual expenditures or expenditure management as the levy is collected and paid into the CR fund (from which grants are made). TIF can be used to leverage private sector investments in Manitoba.
- Provincial TIF is intended to support significant new development or to subsidize private developments that would not otherwise occur without public support and provide broad public benefit.

Contact: Leita Kalinowsky, Director, Community Planning and Development

Date: April 14, 2016

Attachment A - TIF COMMITMENTS AND PRESSURES

CURRENT TIF COMMITMENTS ¹		
Redevelopment Project/Program	Approx. Public Commitment	Approx. Provincial TIF Commitment
Winnipeg		
Downtown Winnipeg Residential Development Grant Program <i>Joint City/Province Program to support the development of new rental and owner-occupied housing in Winnipeg's downtown through incentives to developers. Currently fully subscribed with 1,307 residential units (933 Condo 374 Rental) approved for funding.</i>	\$ 40.0M	\$ 20.0M
Live Downtown: Rental Development Grant Program <i>Joint City/Province 750-900 unit incentive program estimated at \$23-27M to encourage the development of additional multi-family, mixed-income rental housing aiming to increase and diversify the residential population of downtown Winnipeg. 99 units are currently approved for support; an additional 800 units are anticipated under a second intake.</i>	27.0M	14.6M
University of Winnipeg Commons <i>City/Provincial project support for the redevelopment of the surface parking lot behind the Buhler Centre, into a mixed-use complex with 102 rental housing units including 46 affordable units.</i>	2.55M	1.32M
Sports, Hospitality and Entertainment District (SHED) <i>Joint City/Province initiative to support capital projects in public and shared spaces such as streetscape enhancements and skywalk development in the 11-block Sports, Hospitality and Entertainment District in downtown Winnipeg. Developments to date include streetscape and pedestrian improvements surrounding the MTS Centre, storefront and building enhancements and marketing and promotion of the SHED area. Phase 2 is anticipated to include portions of True North Square.</i>	34.0M	17.0M
Exchange/Waterfront Neighbourhood Development Program <i>Joint City/Province four-part program to provide additional support to develop a residential environment and attract residents to this former warehouse/industrial area. Components include: Retail Attraction and Retention Coordination, Marketing/Image and Safety Initiatives, Parking Initiatives, and Capital Investments in Safety and Heritage.</i>	7.8M	4.1M
RBC Convention Centre Expansion <i>City/Province TIF support will be used to repay \$16M of debt taken out by the RBC Convention Centre to finance its expansion.</i>	16.0M	8.0M
S.19(1)(b)(e)		

¹ Commitments reflect initiatives that have been publicly announced and/or where agreements have been signed.

Investors Group Field <i>City/Province TIF support will be used to repay \$75M of debt taken out by BBB Stadium Inc to finance the development of the Investors Group Field.</i>	75.0M	40.5M
Redevelopment Project/Program	Approx. Public Commitment	Approx. Provincial TIF Commitment
Parmalat <i>Project support costs associated with infrastructure servicing for a site in the St. Boniface Industrial Park – Phase 2 to support the development of a new manufacturing facility for Parmalat Canada Inc.</i>	5.6M	3.04 M
Capital Region S.19(1)(b)(e)		
Total Provincial TIF Commitments to date		

CURRENT TIF PRESSURES ²	
Redevelopment Project/Program	Party Requesting / Source of Pressure
S.19(1)(b)(e)	

² Pressures reflect initiatives where development/discussion is underway.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: TAX INCREMENT FINANCING (TIF) IN DOWNTOWN WINNIPEG

ISSUE:

- Tax Increment Financing (TIF) is a financial tool used to support downtown revitalization and leverage private sector investment in Manitoba communities. Several TIF-supported Manitoba-Winnipeg partnership initiatives to revitalize Winnipeg's downtown are currently underway.
- Approximately \$169M (\$90M Province) in TIF support has been committed towards provincial and joint City of Winnipeg Downtown renewal programs.

CRITICAL BACKGROUND:

- The Province works in partnership with the City of Winnipeg and key downtown organizations such as CentreVenture Development Corporation (CV), The Forks North Portage Partnership (FNPP) and the Downtown Winnipeg and Exchange District Business Improvement Zones (BIZ). This includes TIF support and project grant funding through Urban Development Initiatives (UDI) for smaller scale capital projects, and for major projects such as The MET Theatre renovation and proposed Railyard development.
- As of December 31, 2015, an estimated \$705M in private investment had been leveraged from TIF supported projects in the downtown. An additional \$755M in private investment is anticipated by the year 2020. These are summarized below.

Downtown Winnipeg Residential Development Grant (DRDG) Program

(\$40M Program total commitment; \$20M Provincial commitment)

- The DRDG was the first use of The Community Revitalization Tax Increment Financing Act (Act). The program supports the development of new rental and owner-occupied housing in Winnipeg's downtown through incentives to developers. DRDG is fully subscribed with 1,307 residential units (933 Condo 374 Rental) approved for funding. Approximately \$372M in Private investment has been realized as a result of this program.
- An additional \$1.32M has been committed to support the University of Winnipeg Commons housing project to provide 102 rental housing units including 46 affordable units.

Live Downtown: Rental Development Grant (Live Downtown) Program

(750-900 Unit Program commitment; est. \$14.6M Provincial commitment)

- The joint City/Province Live Downtown program provides grants to developers to create additional multi-family, mixed-income rental housing aiming to increase and diversify the residential population of downtown Winnipeg. Grants are provided on a tiered basis to meet multiple strategic objectives including: affordable rents, residential development in strategic locations within the larger downtown, repurposing of surface parking lots, and inclusion of structured parking within new projects.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- Under the first intake, 2 projects, resulting in 99 rental units and the repurposing of one surface parking lot, were approved. An additional 799 rental units are anticipated under the current second intake, which closes in September 2016.

Sports, Hospitality and Entertainment District (SHED) Initiative

(est. \$34M Program total commitment; est. \$17M Provincial commitment)

- This is a joint City/Province initiative to support capital projects in public and shared spaces such as streetscape enhancements and skywalk development in the 11-block Sports, Hospitality and Entertainment District in downtown Winnipeg. Developments to date include streetscape and pedestrian improvements surrounding the MTS Centre, storefront and building enhancements and marketing and promotion of the SHED area.

Exchange Waterfront Neighbourhood Development (EWND) Program

(est. \$7.8M Program total commitment; est. \$4.1M Provincial commitment)

- The joint City/Province four-part program provides support to develop a residential environment and attract residents to this former warehouse/industrial area. Components include: Retail Attraction and Retention Coordination, Marketing/Image and Safety Initiatives, Parking Initiatives, and Capital Investments in Safety and Heritage.
- Physical improvement initiatives to facilitate increased pedestrian activity, including safety and walkway improvements, have been completed under Phase 1. In addition, two cars have been purchased, allowing the Peg City Co-op Car Share Program to expand to the Exchange reducing parking demand.

S.19(1)(b)



Contact: Rayanne Legros, Community Planning and Development

Date: April 15, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: URBAN DEVELOPMENT INITIATIVES (UDI) FUND

ISSUE:

- UDI is an annual \$26.0M fund that provides support for strategic government priorities within Winnipeg, including ongoing program/project support, one-time grants and direct payments to the City of Winnipeg (CoW) and its economic development agencies. It is accessed by departments across government to support economic and community development priorities. All initiatives require Treasury Board approval.

CRITICAL BACKGROUND:

- UDI was previously calculated from 25% of net video lottery terminal (VLT) revenues generated in Winnipeg. When revenues from VLT decreased, the UDI budget line item was held at the \$26M level and was de-linked from VLT revenues. It has a sister fund called Rural Economic Development Initiatives (REDI) administered by Manitoba Agriculture, Food and Rural Development.
- UDI projects have been evaluated based on their alignment to Budget and Throne Speech priorities. The fund is not application based and is not advertised publicly. UDI funding has been used to augment funding from other sources.
- The Department reports on UDI in its Annual Report. Manitoba Lotteries and Liquor Corporation highlights some UDI supported projects and overall revenue/expenditures in its annual Supporting Our Communities Report.
- UDI has been increasingly used to fund ongoing Provincial department and City of Winnipeg activities as well as longer term non-profit agency funding; this impacts the fund's capacity to respond to new or emerging initiatives. S.19(1)(b)(e)

S.19(1)(b)(e)

➤ S.19(1)(b)(e)

➤ S.19(1)(b)(e)

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: DEVELOPMENT OF A STRUCTURED PARKADE ON PROVINCIALLY OWNED CROWN LAND ON JAMES AVENUE

ISSUE:

- The Province of Manitoba is working in collaboration with the City of Winnipeg and the Manitoba Centennial Centre Corporation (MCCC) to encourage the development of a Structured Parkade at James Avenue. This is on crown owned land and subject to a number of conditions, including MCCC seeking to retain ownership of the land and entering into a long-term lease with the proponent. A provincial decision to move forward with an open RFP or EOI process is pending.

CRITICAL BACKGROUND:

- A lack of parking in the Exchange Waterfront is limiting residential growth. This property is one of the only remaining available parcels for development.
- The proposed James Avenue Parkade site is located on crown lands, held under *The Manitoba Centennial Centre Corporation Act*, and managed by the MCCC as part of the centennial legacy. The site includes the Lily Street/Manitoba Museum Storage Warehouse and a surface parking lot operated by MCCC (with current revenues of \$190.0 annually).
- The Province, City of Winnipeg, MCCC and commissioned parking studies from other downtown stakeholders identify the James Avenue location as ideally situated for a potential Parkade site. These studies confirmed the demand for both residential and cultural patron parking in the area.

• S.19(1)(b)(e)



- Other alternatives for Parkade construction on the site have not been analyzed in detail.

Contact: Nadalene Khan Cooper, Community Planning and Development

Date: April 14, 2016

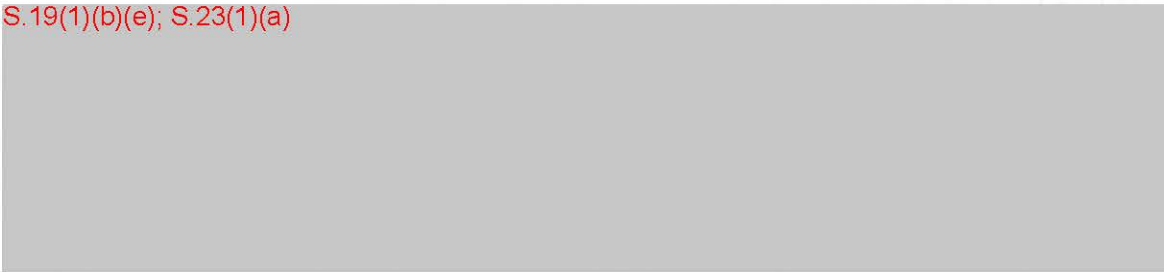
BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: SPORTS, HOSPITALITY AND ENTERTAINMENT DISTRICT (SHED)

ISSUE:

- The Sports, Hospitality and Entertainment District (SHED) is an 11-block area of downtown Winnipeg where entertainment and related commercial activities are promoted. Tax Increment Financing (TIF), both municipal and provincial, realized from within the SHED is the current funding tool to support this initiative.

CRITICAL BACKGROUND:

- A tripartite agreement between the Province, City of Winnipeg (funding partners) and CentreVenture Development Corporation (CV) (administration) was signed on March 21, 2013. The agreement outlines support for the SHED development plan through TIF, in a phased approach.
- Phase 1 developments of \$7.4M were completed in December 2014 and include streetscape and pedestrian improvements surrounding the MTS Centre, storefront and building enhancements, and marketing and promotion of the SHED area. Private investment of just over \$155M was leveraged.
- S.19(1)(b)(e); S.23(1)(a)

- The City of Winnipeg has advised that, as per the long-term funding review, they are unable to provide grants to CV as the administrator until a Master Funding Agreement between the City and CV has been entered into. The timing for such an agreement is uncertain and a new administrator could be required for Phase 2. However, there is a need for CV to continue providing input on project design and management. Discussions are currently taking place to establish a new administrator as well as define the role CV will play going forward.

Contact: Rayanne Legros, Community Planning and Development

Date: April 15, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: ROSSER WATER AND WASTEWATER SERVICING

ISSUE:

- Rosser has proposed a Local Improvement levy to service its existing industrial park north and west of Inkster Blvd. and Brookside Blvd. with water feeder mains, water distribution, low pressure wastewater collection (See Attached servicing plan).

- The cost of the entire project is estimated to be \$22,560,070.

S.23(1)(a)

- Tenders for construction cannot be issued until the project and financing are approved. A tender will be issued once the Local Improvement borrowing receives approval from The Municipal Board.
- Rosser held the required public hearing on April 18, 2016 on the proposed Local Improvement levy. There were 11 objectors, who will have opportunity to further object to The Municipal Board. If there are enough objectors, the Board must hold a public hearing, the earliest date likely being in June.

- Rosser will submit the borrowing by-law to The Municipal Board shortly.

S.20(1)(c); S.21(1)(c); S. 23(1)(a); S.28(1)(b)(c)(iii)

- S.20(1)(c); S.21(1)(c); S. 23(1)(a); S.28(1)(b)(c)(iii)

- S.20(1)(c); S.21(1)(c); S. 23(1)(a); S.28(1)(b)(c)(iii)

- S.20(1)(c); S.21(1)(c); S. 23(1)(a); S.28(1)(b)(c)(iii)

Rosser CentrePort Area Wastewater Collection and Water Distribution Plan



Contact: David Neufeld, Director, Community & Regional Planning Branch,
Community Planning & Development Division

Date: April 21, 2016

SUBJECT: NORTHWEST SEWER INTERCEPTOR EXTENSION

ISSUE:

- In May 2015, construction started on extending a trunk sewer-servicing line that connects the Rural Municipality of Rosser to the City of Winnipeg's North End Sewage Treatment Plant.
- The sewer servicing extension is the first step in providing wastewater servicing to development in CentrePort Canada.
- The project involves construction of a 1.7 kilometre trunk sewer line extension along Inkster Boulevard from King Edward Street to Brookside Boulevard. The installation of the 1.35 meter diameter concrete pipe is done by means of a tunneling machine and jacking.

• S.19(1)(b)(e)

- The first 786 m was installed without major incident. Construction was delayed in fall of 2015 when the tunnel-boring machine began encountering significant obstructions within the 360 m section most recently under construction.
- Construction was halted over the winter while further investigation of ground conditions could be examined. This was decided due to the fact that cost increases resulting from the obstructions and resultant delays were unknown.
- It was agreed at that time that construction would continue in the spring of 2016 by means of trenching the section most recently under construction. The contractor has been authorized to initiate this work on May 2, 2016 and expects it will be complete by June 1, 2016.

• S.23(1)(a)

- A geotechnical assessment was completed over the winter. The assessment indicated that the 360 m section recently under construction is in a till zone, prone to boulders, and thus trenching remains the most viable construction method. It also indicated that the remaining 487 m section is outside of the till zone and thus tunneling should again be practical and the least costly method to resume work.

• S.23(1)(a)

- S.23(1)(a)

CRITICAL BACKGROUND:

- The construction contract is held by the City of Winnipeg with Nelson River Construction. Infrastructure and Transportation (MIT) holds the contract with the consulting engineer (AECOM) and acts as Manitoba's project manager.
- Encountering boulders was considered a shared risk as part of the construction contract with Nelson River but the risk to the contractor is capped. Once the cap is reached, the Province and the City are fully responsible for the additional costs.

- S.19(1)(b)(e)

- Treasury Board Secretariat was advised of the delays and potential cost increases in December 2015.
- The funding agreement on this project between Winnipeg and Manitoba has not yet been signed. It will now be updated to reflect the cost increases should the project be approved to proceed.
- Even with the additional geotechnical assessments, there remains a risk of unknown conditions being encountered. The revised budget has been set to include reasonable contingencies to try and mitigate this risk, but it cannot be eliminated.

Contact: Meagan Boles, Senior Planner, Community Planning & Development
Date: April 21, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: FACTORY OF THE FUTURE – AIRPORT LANDS SUPPORT

ISSUE:

- The National Research Council (NRC) plans to establish a Factory of the Future facility in Winnipeg. The federal government plans to invest approximately \$60M into the facility, and is looking for a tangible partnership with Manitoba in its development. The facility is intended to support technology advancement in Canadian manufacturing.

CRITICAL BACKGROUND:

- In November 2014, the federal government announced its intention to invest in a new *Factory of the Future* initiative by the NRC, intended to support technology advancement in Canadian manufacturing. The initiative would involve investments in existing NRC facilities in London and Montreal, and the establishment of a new facility in Winnipeg. Winnipeg is planned to be the main facility in the network. A capital budget of \$70M for the initiative has been approved in the 2015-16 federal budget. S.20(1)(a)

- Toward the development of a provincial plan to complement the NRC facility and programming, Manitoba has had three rounds of industry consultations in the first quarter of 2015. S.19(1)(b)(e); S.28(1)(b)(c)(iii)

- Advancement of a Manitoba plan has been constrained by a delay in the development of the NRC's own business plan. Originally targeted for completion in September 2014, the NRC now plans to have its business plan in place in September 2016.
- NRC previously identified a parcel of land on the west side of the Winnipeg Airport Authority property for its new facility known as W8, which includes a direct airside access located within Centreport Canada's Winnipeg footprint. While the parcel met the NRC's size requirements for its plans, it is undeveloped and requires road access and utilities service (water, wastewater and electricity.) NRC indicated that it would not be responsible for the costs of the road and servicing the site. These preliminary costs have been estimated at \$10.4M.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- S.19(1)(b)(e); S.20(1)(a); S.21(1)(a); S.23(1)(a); S.28(1)(b)(c)(iii)

- S.19(1)(b)(e); S.20(1)(a); S.21(1)(a); S.23(1)(a); S.28(1)(b)(c)(iii)

S.19(1)(b)(e); S.20(1)(a); S.21(1)(a); S.23(1)(a); S.28(1)(b)(c)(iii)

- S.19(1)(b)(e); S.20(1)(a); S.21(1)(a); S.23(1)(a); S.28(1)(b)(c)(iii)

- S.23(1)(a)

- S.20(1)(a); S.23(1)(a); S.28(1)(b)(c)(ii)(iii)

Contact: Fred Meier, Deputy Minister, Municipal Relations

Date: April 29, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: CANADA-MANITOBA INFRASTRUCTURE SECRETARIAT OVERVIEW

The Canada-Manitoba Infrastructure Secretariat (CMIS) provides central agency implementation and administrative support in the delivery of intergovernmental and non-governmental infrastructure and economic development funding initiatives. These initiatives include, but are not limited to the:

- Canada-Manitoba Building Canada Plan (including P3 projects);
- Gateways and Borders Crossing Fund
- Green Infrastructure Fund
- Provincial/Territorial Base Fund
- Canada-Manitoba Infrastructure Programs
- Winnipeg Community Infrastructure Program
- 10 year - New Building Canada Fund- NRP, SCF, NIC, National Trails, National Disaster Program, Canada 150, Northern and Rural Broadband, First Nation Federal Program etc.
- 20 year - Gas tax Program
- 2016- Federal Social Infrastructure Program – Green, Transit, Recreation and Culture.
- Economic Development Initiatives
- Post-Secondary Projects under the New Building Canada Fund

CMIS manages significant investment programs in partnership with federal and local governments and non-profits to build, enhance, and modernize public infrastructure and economic development opportunities in Manitoba. CMIS manages the negotiation of the federal-provincial agreements, program application intakes, the local government consultative process (where applicable), review and approval processes, Contribution Agreements, oversees program audit requirements, environmental assessment of projects, and administers funding contributions to approved projects and coordinates public information activities.

Key personnel:

Karlene Debance, Executive Director, Canada-Manitoba Infrastructure Secretariat

Barb Harrison, Director, Infrastructure Programs

Tara Pratt, Director, Economic Development Programs

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

Organizational Structure:

The division has two branches: Infrastructure Programs and Economic Development Programs. The division is also supported by a senior financial officer and a federal-provincial coordinator.

2015/16 Budget:

Salaries	\$692.0
Other Expenditures	\$204.0
Non-For-Profit Projects	\$364.0
Infrastructure Programming	\$45,128.9
Total:	\$46,388.9¹

1. \$45,129 is recoverable from the Building Manitoba Fund.

Staffing: 8.0 FTEs

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: UPDATE ON THE NEW BUILDING CANADA FUND (NBCF)

CRITICAL BACKGROUND:

Gas Tax Fund (GTF):

- Of the \$65.5M GTF allocated to Manitoba in 2015/16, to date Manitoba has flowed \$61.9M in to municipalities.
 - Annual funding of \$200,000 is available under the GTF for the Small Communities Transportation Fund (SCTF). Requests for SCTF continue to exceed available funding.
- S.23(1)(a)

New Building Canada Fund – 2014 to 2024

- The current New Building Canada Fund (NBCF) is comprised of two components:
 - The National Infrastructure Component (NIC); and
 - The Provincial-Territorial Infrastructure Component (PTIC), which has two sub-components: National and Regional projects (NRP); and the Small Communities Fund (SCF) for projects located in communities of fewer than 100,000 residents.

April 22, 2016 INFC changes to PTIC:

- Funding is accelerated and must be allocated by March 31, 2018 and any unallocated funds will be rolled into the GTF;
- Under the roads investment category the minimum AADT (average annual daily traffic) values were eliminated under the SCF and reduced to 1,000 vehicles under NRP;
- Five new investment categories were included in PTIC: Ferries, Cultural, Recreation, Tourism and Civic Assets;
- Under PTIC (NRP and SCF) a new cost-sharing flex formula of up to 50% for provincially-owned disaster mitigation projects.
- The mandatory P3 screen was removed for \$100M+ projects;
- P3 Canada Funding was increased from 25% to 33.3% or 50% (likely provincial assets) for projects without a signed federal agreement or federal Approval In Principle; and

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- A more risk based approach will be taken when approving projects.

National Infrastructure Component (NIC) - \$4B

- NIC is a merit-based application program with no jurisdictional allocation supporting projects of national significance with broad public benefits.
- In July 2015 Canada announced 1/3 federal funding of up to \$165M under NIC towards the \$495M Lake Manitoba/Lake St. Martin Outlet Channel (LMLSMOC). Manitoba requested that the federal funding be cost-shared on a 50/50 basis or \$247M federal share. The 2016 Federal Budget announced 50/50 funding (federal funding of up to \$247.5M) towards the LMLSMOC project.
- INFC staff confirmed the federal \$247.5M for LMLSMOC will be moved from NIC and provided as a "Top Up" to MB's PTIC allocation bringing MB's NRP allocation to \$667.5M.
- S.19(1)(b)(e); S.28(1)(c)(iii)

Small Communities Fund (SCF):

- Manitoba's federal allocation under the SCF is \$46.7M. Manitoba will soon have the first completed SCF project in Canada. As of February 1, 2016 Canada and Manitoba have committed \$35.5M (federal share) and \$35.5M (provincial share) towards 49 projects (25 drinking water, 23 wastewater and 1 solid waste management) projects. The next SCF application intake date for the final \$10M federal share has not been determined.

National and Regional Projects (NRP):

- Manitoba's original allocation under the NRP was \$420M. As noted above, Manitoba's NRP allocation will be "Topped Up" by \$247.5M towards the Lake St. Martin/Lake Winnipeg Outlets Project.
- As of April 25, 2016 Manitoba's NRP is fully allocated to the projects listed in the table below as follows: (Section i.) Approved for cost-shared funding; S.20(1)(a); S.28(1)(c)(iii)

GOING FORWARD UNDER NBCF – NRP and NIC:


- S.20(1)(a); S.23(1)(a)

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

S.23(1)(a)



- S.20(1)(a); S.23(1)(a)



- S.20(1)(a); S.23(1)(a)



Contact: Karlene Debance, CMIS

Date: April 15, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

ATTACHMENT A:

i.) Projects Announced and Approved for Federal Funding	Total Eligible Project Costs	Fed Share	Prov Share
Cartier Regional Water Co-op Expansion Project	\$ 43.50	\$ 12.10	\$ 14.50
Virden New WWT Facility	\$ 12.00	\$ 4.00	\$ 4.00
Brandon Airport Rehabilitation and Expansion	\$ 8.80	\$ 2.90	\$ 2.90
Thompson New WWT Facility	\$ 36.00	\$ 12.00	\$ 12.00
Waverley Underpass at the CN Rivers Mainline	\$ 137.70	\$ 45.90	\$ 45.90
Brandon Daly Bridge new 4-lane divided overpass	\$ 60.00	\$ 19.18	\$ 40.82
Subtotal of Approved Projects	\$ 298.00	\$ 96.08	\$ 120.12

S.23(1)(a); S.28(1)(c)(iii)

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: CANADA'S 2016 INFRASTRUCTURE PLAN

CRITICAL BACKGROUND:

- The New Federal Transit, Green and Social Infrastructure Funds will provide an additional \$60B over the next 10 years.
- In order to roll the funding out quickly, Canada will provide the funding in two phases. The initial phase will provide \$11.9B over the next four years starting in 2016.
- Phase 2 will provide the remaining funding and will be developed through stakeholder consultations over the next few years.

Phase 1 of Canada's New Infrastructure Plan

- Phase 1 of the Government's infrastructure plan provides \$11.9B to flow over the next four years, starting in 2016-17.
 - **Transit:** \$3.4B/3 years to upgrade and improve public transit systems – Manitoba's share is noted at \$82.84M based on ridership;
 - **Green Infrastructure:** \$5.0B/5 years for: water & wastewater (\$2B), Climate Change Mitigation (\$518M), Municipal Capacity Building (\$250M to be delivered by FCM) and water, wastewater and solid waste management projects for First Nations Communities (\$2.242B); and
 - **Social Infrastructure:** \$3.4B/5 years for: affordable housing (\$1.48B), early learning and child care (\$400M), cultural and recreational infrastructure (\$342M), and First Nations, Inuit and northern communities' social infrastructure (\$1.22B).

Details of the 2016 Programs:

- Canada will have one bilateral agreement with Manitoba to cover both the Clean Water and Wastewater Fund (CWWF) and the Public Transit Infrastructure Fund (PTIF).
- Once it is received, provincial staff will work with federal counterparts to finalize the Draft Bi-lateral agreement as soon as possible.
- Manitoba's federal allocation under the CWWF is \$95.25M (base funding of \$50M plus per capita at 3.3%) and under the Public Transit fund is \$82.84M (based on municipal ridership).

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- Manitoba will receive up to 1% of the federal funding for administrative costs related to the CWWF (\$952,251) and the Public Transit (\$ 828,400).
- In order to receive federal funding under these programs, an applicant must demonstrate:
 - the project would not have commenced construction within the next 2 years without federal funds; or
 - the project would not have occurred without the federal funds.
- This Incrementality is an important aspect of the new programming and will be reviewed by the federal OAG.
- Project Reporting will focus on outcomes/milestones to demonstrate the value of projects.

Green Infrastructure Fund - \$5B/5 years

Clean Water and Wastewater Fund:

- \$2B in federal funding over 3 years for immediate improvements to municipal water distribution and treatment infrastructure at up to 50 per cent of eligible costs for projects.
- Manitoba's allocation is \$95.25M over the 3 years starting in 2016-17.
- The primary focus of the program is on Revitalization, Renovation and Rehabilitation, but new construction including the construction of naturalized systems for management and treatment of wastewater and storm water may also be considered if they can be completed within the program timeframe.
- Asset Management and Design & Planning for future projects will also be eligible.
- Municipal applications for funding are to be submitted through Manitoba.
- There is no specific municipal allocations under the CWWF. However there is an expectation that a variety of small, medium and large projects will be funded.
- Funds are to flow within the next 2 years and final payments can be administered in the final (3rd) year.
- April 1, 2016 is the Eligible Project costs date.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

• **S.23(1)(a)**

- Federal cash-flow is flexible and options can be discussed (ie federal funds could flow first with provincial funds flowing later).
- Manitoba is to submit a list of priority projects to INFC as soon as possible. This list is to contain project information similar to what was required under the Small Communities Fund.

First Nations Water and Wastewater Funding:

- \$1.8B/5 years to address health and safety needs, to ensure proper facility operation and maintenance, and to end long-term boil water advisories on First Nations reserves within five years. Manitoba's estimated allocation is \$356.4M.
- Manitoba's estimated allocation for this funding is based on Manitoba's Aboriginal population comprising 19.8% of Canada's First Nation population.

First Nations Waste Management Funding: Up to \$409.M/5 years to improve garbage and waste management on reserve (\$81.16M). See estimated funding allocation noted above.

Climate Change - \$518M

- Will go towards projects that help communities better prepare for climate change resilient projects.
- Manitoba's \$495M Lake Manitoba/Lake St. Martin Channel project was selected for funding of \$247.5M as a marquee project in the federal budget.
- The project was originally approved for 1/3 (\$165M) funding under the National Infrastructure Component (NIC).
- The current 50% federal funding of \$247.5M for the project will be provided through a "Top Up" to Manitoba's New Building Canada Fund - Provincial Territorial Infrastructure Component allocation.

Municipal Capacity Building Funding - \$250M (delivered by FCM)

- **Climate Change - \$75M** for municipality-led projects to identify and implement greenhouse gas reduction opportunities. It will also support the assessment of local climate risks, and the integration of these impacts into asset management plans.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- **Green Municipal Fund – \$125M/2 years** to finance and fund innovative, municipal green infrastructure priorities.
- **New Capacity Building Fund - \$50M** to strengthen capacity-building and fund the support of asset management in communities for longer-term planning that supports strategic investments.

Public Transit Infrastructure Fund (PTIF) - \$3.4B/3 years

- Manitoba's funding is up to \$82.84M based on transit ridership.
- The main objective of the PTIF is to improve existing infrastructure, asset management, planning for future infrastructure.
- Eligible projects include:
 - Upgrades to subway tracks, bridges, signals and switches;
 - Fleet replacement, including the purchase of new subway cars, low-floor buses, and street cars;
 - Accelerated design, implementation and construction work for new large-scale projects, such as new light rail transit lines;
 - Federal funding may be up to 50 per cent of eligible costs for projects. The federal funding is to flow to transit systems on a ridership basis. i.e. Winnipeg, Thompson, Flin Flon, Brandon etc. Minimum federal funding to a Transit System is \$50K.

Social Infrastructure Fund - \$3.4B/5 years

- \$1.48B to expand affordable housing (including shelters for victims of violence), support early learning and child care, renew cultural and recreational infrastructure, (Manitoba's share could be approximately \$48.9M).
- \$400M in 2017-18 to establish National Framework on Early Learning and Child Care.
- \$342M in cultural and recreational infrastructure, including \$168.2M towards *Canada Cultural Spaces* and \$150M towards *Canada 150 Community Infrastructure* (Western Economic Diversification to deliver in Manitoba) Manitoba's share could be up to \$11.28M.
- \$1.219B will be invested in First Nations, Inuit and northern communities. Manitoba's First Nations' share of this funding could be up to \$241.36M.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

ADDITIONAL HIGHLIGHTS FROM THE FEDERAL 2016 BUDGET:

Indigenous Infrastructure: \$8.5B/years

- \$1.8B/5 years to support water and wastewater treatment on reserve – provided through the Green Infrastructure Fund as noted above;
- \$409.M/5 years to improve garbage and waste management on reserve – provided through the Green Infrastructure Fund as noted above;
- \$270.2M/5years to expand and enhance health facilities in First Nations communities;
- \$732.M/2 years for housing needs on reserve and in Inuit and northern communities;
- \$129.4M/2 years for repairs and renovations of Indigenous early learning and child care facilities and to support the establishment of a Framework on Early Learning and Child Care;
- \$76.9M/2years for the construction of cultural and recreational centres on reserve; and
- \$10.4M/3 years for renovations and the construction of new shelters for victims of family violence in First Nations communities.

Federal Infrastructure Upgrades: \$3.4B/5 years

- to maintain and upgrade *federal infrastructure* assets such as national parks, small craft harbors, federal airports and border infrastructure. This funding will also support the clean-up of contaminated sites across the country.

Broadband: \$500M/5 years

- to extend and enhance broadband service in rural and remote communities. To be delivered by Innovation, Science and Economic Development Canada (ISED).

Post-Secondary Institutions Strategic Investment Fund: \$2B/3 years

- A three year stimulus initiative that will support up to 50 per cent of the eligible costs of infrastructure projects at post-secondary institutions and affiliated research and commercialization organizations, in collaboration with provinces and territories.
- To be delivered by Innovation, Science and Economic Development Canada (ISED). Canada will have a bilateral agreement with Manitoba for the funding.

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

- Projects must be substantially completed by April 30, 2018.
- Applications are due by May 9, 2016.

P3 Funding:

- The responsibilities of PPP Canada Inc. will be transferred to Infrastructure and Communities.
- The government has removed a mandatory public-private partnership screen for infrastructure projects.
- Federal funding for P3 projects without Approval-In-Principle in place has increased from 25% to 33⅓%,

Contact: Karlene Debance, Executive Director, CMIS
Date: April 26, 2016

BRIEFING MATERIALS – DEPARTMENT OF INDIGENOUS AND MUNICIPAL RELATIONS

SUBJECT: MANITOBA WATER SERVICES BOARD - OVERVIEW

The mandate of the Manitoba Water Services Board is to assist municipalities with the development of sustainable water and sewer infrastructure including: water supply, treatment, storage and distribution; collection and treatment of sewage; disposal of treated effluent and waste sludge in an environmentally sustainable manner; provision of drought resistant, safe water supplies to rural residents for domestic and livestock needs; provides field resources to deliver technical advice/information to develop and upgrade sewer and water infrastructure. The Board also provides operating and capital financial assistance in support of local governments.

Key personnel: **Dave Shwaluk**, General Manager

2015/16 Budget: \$19,339.0 *Note: \$16,813.0 is recoverable from Building Manitoba Fund

Staffing: 30.0 staff years (no FTEs)

Manitoba Water Services Board Long Range Capital Plan (2016/17 – 2020/21)

Background:

- The Province has committed annual funding of \$16.813 M for 2016-17 to 2020-21 to upgrade water and sewer infrastructure in rural Manitoba.
- The Manitoba Water Services Board (MWSB) capital plan for 2016/17 to 2020 /21 includes 29 new water and sewer projects for a Provincial commitment of \$ 33.8M.
- The MWSB receives its funding from the Build Manitoba Fund.
- The MWSB has a five member Board of Directors, chaired by the Deputy Minister of Municipal Relations, vice-chaired by a representative from Conservation and Water Stewardship, one member from Infrastructure and Transportation, and 2 members from the AMM.
- Below is a list of the 29 new projects approved. Criteria for screening projects include environmental and public health, compliance with regulations, and level of enhancements to existing systems.

<u>Municipality/Co-op</u>	<u>Project</u>	<u>Prov. Commitment</u> (in \$1,000s)
Alexander, R.M.	New wastewater lagoon	250.0
Altona, Town	Phase 3 wastewater lagoon upgrades	2,250.0
Dauphin, R.M.	Water supply pipeline	1,200.0
Gilbert Plains, Municipality	Rural water pipeline	700.0
Gimli, R.M.	Water supply upgrades	2,500.0
Glenella-Lansdowne, Municipality	Water supply upgrades	350.0
Grey, R.M.	Rural water pipeline	500.0
Kelsey, R.M.	Water supply pipeline	1,200.0
Minnedosa, Town	Watermain renewal	300.0
Neepawa, Town	Wastewater lagoon study	200.0
Niverville, Town	New groundwater supply	500.0
North Norfolk, Municipality	Austin wastewater lagoon study	200.0
Pipestone, R.M.	Reston wastewater lagoon expansion	700.0
Pipestone, R.M.	Rural water pipeline	1,500.0
Portage la Prairie, City	Water supply upgrades	900.0
Prairie View, Municipality	New water supply	1,500.0
Ritchot, R.M.	Water supply upgrades	2,500.0
Rosedale, R.M.	Rural water pipeline	800.0
Rosser, R.M.	Low pressure sewer system	1,200.0
Russell-Binscarth, Municipality	New water treatment plant	3,500.0
Snow Lake, Town	Water and wastewater upgrades	800.0
St. Andrews, R.M.	Sewer forcemain and lift station	2,500.0
Stonewall, Town	Water meter program	500.0
The Pas, Town	Wastewater lagoon study	250.0
Victoria, R.M.	Watermain renewals	500.0
West St. Paul, R.M.	Water reservoir and pumphouse	2,250.0
West St. Paul, R.M.	Gravity sewer	1,500.0
Yellowhead Regional Water Co-op	Westbourne reservoir/pumphouse	750.0
Yellowhead, R.M.	Shoal Lake water treatment plant	2,000.0
		\$33,800.0

THE MANITOBA WATER SERVICES BOARD
2016-17 CORE INFRASTRUCTURE RENEWAL PLAN

I. CAPITAL PLAN FOR 2016-17

A. Miscellaneous \$900.0

- Feasibility studies
- Small capital upgrades requested through year
- MWSB operated water plants
- Miscellaneous rural water pipeline connections

B. Projects Underway \$1,535.0

Dauphin, City	• Wastewater assessment study
Glenboro, Village	• Sewermain relining
Kelsey, R.M.	• Water meter replacement
Pinawa	• Lagoon upgrading, P reduction
Portage la Prairie, City	• Water meter replacement
Snow Lake, Town	• Clarifier cover
West St. Paul	• Wastewater collection system
Winkler, City	• Lift station upgrading

C. New Capital Projects \$17,670.0

		(in \$1,000s)
Alexander, R.M.	• Wastewater lagoon	250.0
Carman, Town	• Water and wastewater assessment study	50.0
Cartier Water Co-op	• Oakville reservoir/pumphouse	1,200.0
Dauphin, R.M.	• Water supply pipeline	1,200.0
Gilbert Plains, Mun.	• Rural water pipeline upgrades and meters	150.0
Gimli, R.M.	• Industrial Park pipeline and watermain renewal design and Phase I construction	1,000.0
Hanover, R.M.	• Kleefeld water supply pipeline	600.0
Kelsey, R.M.	• Water supply pipeline	700.0
Macdonald, R.M.	• Raw water storage and aeration design only	450.0
Minnedosa, Town	• Wastewater lagoon aeration system	120.0
Neepawa, Town	• Wastewater lagoon study and EAP	50.0
Niverville, Town	• New groundwater source	250.0
North Norfolk, R.M.	• Austin wastewater lagoon study and EAP	50.0
Pipestone, R.M.	• Reston wastewater lagoon design only	100.0

Portage la Prairie, City	• Phase 2 Industrial Park watermain and WTP upgrades	800.0
Riverside, R.M.	• Rivers water treatment plant	2,000.0
Rosser, R.M.	• Low pressure sewer Industrial Park	1,200.0
Selkirk, City	• Pipeline and well mechanization	1,000.0
Stonewall, Town	• Water meter replacement design only	400.0
St. Andrews, R.M.	• Forcemain and lift station	2,000.0
St-Pierre-Jolys, Village	• Wastewater lagoon design / tender documents only	400.0
The Pas, Town	• Wastewater lagoon study and EAP	100.0
Thompson, City	• Watermain renewals	600.0
West St. Paul, R.M.	• New reservoir/pumphouse	2,000.0
Whitehead Elton Water Co-op	• Water supply upgrades	100.0
Woodlands, R.M.	• Wastewater lagoon upgrading	700.0
Yellowhead, R.M.	• Wastewater system upgrades and forcemain	200.0

D. Build Canada \$87,000.0

Cartier, R.M.	• Watermain renewals	
Cartier Regional Water Co-op	• New water treatment plant, pipeline, and reservoir	
	• Stony Mountain pipeline	
	• West St. Paul pipeline	
	• Rosser Industrial Park water distribution	
Dauphin, R.M.	• Rural water pipeline	
Deloraine-Winchester, Municipality	• New water treatment plant Deloraine	
Elton, R.M.	• Rural water pipeline	
Harrison-Park, R.M.	• Onanole reservoir/pumphouse	
Kelsey, R.M.	• Ralls Island water pipeline	
Minitonas-Bowsman, Municipality	• Wastewater lagoon upgrades, Minitonas	
Portage la Prairie, R.M.	• Rural water pipeline	
Snow Lake, Town	• Water and sewer renewals	
South Central District Water Co-op	• Pilot Mound/Manitou WTP upgrades	
St. Andrews, R.M.	• Phase 1 low pressure sewer	
Tache, R.M.	• Landmark reservoir and well	
Thompson, City	• Wastewater treatment plant	
Virden, Town	• Wastewater treatment plant	
West St. Paul, R.M.	• Water supply pipeline	
Whitehead, R.M.	• Rural water pipeline	
Winnipeg Beach, Town	• Wastewater lagoon upgrades	

E. Parks Branch \$6,000.0

Water and Sewer

- Initiate 8 new water and sewer projects

F. Aboriginal and Northern Affairs (ANA) \$1,000.0

God's Lake Narrows

- Wastewater Feasibility Study and EAP

Seymourville

- Water plant and wastewater plant assessment study



Aboriginal and Northern Affairs

Minister's Transition Binder

March 30, 2016

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DEPARTMENT RESPONSIBILITIES

OVERVIEW

The Department of Aboriginal and Northern Affairs works to help improve the quality of life and enhance opportunities for Indigenous and northern Manitobans. This is achieved by working with Indigenous and northern communities, other levels of government, industry and other stakeholders to promote social and economic opportunities and reconcile the rights and interests of Indigenous and northern Manitobans.

Key departmental goals include:

- supporting the development of healthy, safe and sustainable Indigenous and northern communities;
- closing socioeconomic gaps between Indigenous and northern people and other Manitobans in areas such as education, health, housing, economic opportunities and employment;
- enhancing food security for Indigenous and northern Manitobans; and,
- fulfilling constitutional obligations and other provincial responsibilities as related to Indigenous and northern Manitobans.

The Department is responsible for the following legislation:

- The Northern Affairs Act
- The Planning Act, (Part 9)
- The Communities Economic Development Fund Act

As of March 31, 2016, there were 50 Aboriginal and Northern Affairs communities over which the Minister has municipal authority.

SPECIFIC RESPONSIBILITIES

The Minister's office provides leadership and policy direction for the Department.

The Deputy Minister provides support to the Minister by providing information and advice. The Deputy Minister also provides executive leadership and operational direction for the development and implementation of programs and policies and for efforts requiring collaboration and coordination across government with departments and agencies. The Deputy Minister advocates for the development of good relations and partnerships with the federal government, Indigenous communities and organizations as well as the private sector. The Deputy Minister is the Chairperson of the Departmental Executive Committee.

Through the Aboriginal Affairs Secretariat, the Department provides policy development capacity and advice on matters pertaining to First Nations, Métis and Inuit relations

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within Manitoba, and develops strategic initiatives to improve the socioeconomic circumstances of Indigenous peoples and communities. The Secretariat is also responsible for negotiating and implementing provincial settlement agreements, including self-government agreements, Treaty Land Entitlement agreements and hydroelectric related settlement agreements; and is Manitoba's primary coordinating body for Crown-Aboriginal consultations with First Nations, Métis and other Aboriginal communities on development that might affect the exercise of Treaty or Aboriginal rights in collaboration with other Manitoba departments.

The Department administers *The Northern Affairs Act* and, through the Local Government Division, provides municipal services and infrastructure support for Northern Affairs communities.

The Financial and Administrative Services division provides financial comptrollership, financial advice and administrative support to the Department. The Division provides central accounting, fiscal management and control, financial analysis and reporting and policy development and review. The Division also coordinates responses to requests under the Freedom of Information and Protection of Privacy Act.

The Department's human resource requirements are managed through Consolidated Human Resources (Civil Service Commission).

ORGANIZATIONAL STRUCTURE

The Department consists of three Divisions under the leadership of the Minister of Aboriginal and Northern Affairs and the Deputy Minister of Aboriginal and Northern Affairs.

Deputy Minister:

Robert Wavey was appointed Deputy Minister in April 2015. Prior to this appointment he held the position of Executive Director of the Aboriginal Affairs Secretariat in the Department.

Prior to joining the Manitoba government, Robert held leadership, senior management and advisory positions with his First Nation and with Manitoba First Nation organizations. He has served as Chief of the Fox Lake Cree Nation, Chair of Manitoba Keewatinowi Okimakanak and Chair of the Keewatin Tribal Council. He has also held the position of Executive Director at both the Keewatin Tribal Council and at the Assembly of Manitoba Chiefs.

ABORIGINAL AFFAIRS SECRETARIAT

The Aboriginal Affairs Secretariat is responsible for the management of Indigenous policy and program issues and the provision of timely, practical and effective advice on all aspects of Indigenous issues as they relate to the Manitoba Government.

The responsibilities of the Secretariat are of a province-wide nature and relate to current or emerging issues which are often highly complex. This includes working on issues involving and impacting federal, provincial, municipal and Indigenous governments.

Key Divisional responsibilities include:

- influencing the development and delivery of policies, programs and services that result in safe, healthy and secure environments;
- concluding agreements related to the adverse effects of hydroelectric development, Treaty Land Entitlement (TLE) and other land-related matters;
- fulfilling provincial obligations and meeting responsibilities resulting from agreements and other initiatives;
- ensuring consultations on government decisions that might affect the exercise of Treaty or Aboriginal rights are conducted in a meaningful way;
- increasing community confidence, knowledge and leadership skills;
- developing meaningful partnerships between Indigenous and northern Manitobans and all levels of government;
- building a workforce representative of Aboriginal and northern Manitobans;
- promoting a more sustainable entrepreneurial and community economic environment; and,

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- providing administrative management services, technical research and special project support.

Executive Staff:

Rob Ballantyne currently serves as Executive Director for the Aboriginal Affairs Secretariat. Rob is Cree from the Misipawistik Cree Nation (Grand Rapids). He is a graduate of the University of Calgary (B. Comm). He has held several senior management positions serving the Aboriginal community of Manitoba over the last 20 years. These positions range from pioneering the position of Manager of Aboriginal Banking for CIBC to being a Business Analyst with the Assembly of Manitoba Chiefs. Most recently he was the Secretary to the Indigenous Issues Committee of Cabinet.

LOCAL GOVERNMENT DEVELOPMENT DIVISION

The Local Government Development Division supports and facilitates the provision of municipal services and infrastructure in 50 designated communities in the unorganized territory of northern Manitoba as defined by the Northern Affairs Act.

The Division is committed to the advancement of independent, sustainable local government through a process of partnership and consultation. This commitment is guided by three objectives including:

- to support the development of responsible local government through elected community councils and the effective and efficient delivery of municipal services;
- to promote safe and healthy communities with a focus on safe drinking water, protection of the environment, recreation and wellness programs that meet local needs, public safety and strategic economic development in support of sustainable communities and a stronger economy in northern Manitoba; and,
- to support and facilitate development initiatives that are community-driven, sustainable and collaborative, in partnership with community councils and other provincial departments, jurisdictions and organizations.

The Local Government Development Division provides this support to communities in a number of program areas that include municipal administration, public works, recreation and wellness, environmental services, protective services, community development, land-use planning, community planning, community economic development and housing and infrastructure development. These programs and services are delivered by regional offices in Thompson, The Pas and Dauphin.

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Executive Staff:

Freda Albert, an aboriginal woman originally from Norway House Cree Nation, currently serves as Executive Director for the Local Government Development Division. She has been with the Department for nine years in this capacity. Major responsibilities include delegated accountability for the development of policy and program recommendations; political and physical development of communities under *The Northern Affairs Act*; and providing management, direction and leadership to the operations of the Local Government Development Division.

Prior to her role with the Department, Freda worked for Norway House Cree Nation as Executive Director from 1994 to 2005. Freda was instrumental in bringing the first cellular service and licensed EMS service to a First Nation community. Prior roles include that of Coordinator for Local Government Services with the Department of Aboriginal and Northern Affairs and as an Administrator of the Norway House Community Council.

FINANCIAL AND ADMINISTRATIVE SERVICES DIVISION

The Financial and Administrative Services Division provides financial comptrollership, fiscal management, financial advice and administrative support services to the Department. The Director fulfills the position of Access Coordinator for *The Freedom of Information and Protection of Privacy Act* and is the Designated Officer for *The Public Interest Disclosure (Whistleblower Protection) Act*. The Division also manages the activities of the Northern Affairs Fund which includes the Specific Purpose Funds (SPF) account and the Taxation account. The purpose of the SPF is to administer funds on behalf of designated communities within the jurisdiction of the Department in compliance with *The Northern Affairs Act*. The Division administers the Minister's municipal taxation powers for all 50 ANA communities.

Executive Staff:

Pavlo Motruk has served as the Acting Executive Financial Officer for the Department and Director of the Financial and Administrative Services Branch since January 11, 2016. Prior to this appointment he held the position of Senior Financial Officer, Finance Manager of the Financial and Administrative Services Branch. Pavlo joined the Department in January 2013.

Prior to joining the Manitoba government, Pavlo work for RBC Investor Services Limited as a Senior Accountant and for Citibank as a Senior Fund Accountant.

Pavlo is a professional qualified accountant with extensive accounting experience and management skills. He holds the Chartered Professional Accountants (CPA) and the Association of the Chartered Certified Accountants (ACCA) designations as well as a degree in Accounting and Audit from University of National Economy in Ukraine.

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ORGANIZATIONAL CHART



*The **Communities Economic Development Fund (CEDF)** is a Provincial Crown Corporation with a mandate to encourage economic development in three areas – Northern Manitoba, the commercial fishing industry, and aboriginal entrepreneurship.*

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STRATEGIC PRIORITIES

STRATEGIC PRIORITY 1: ADDRESSING SOCIOECONOMIC GAPS BETWEEN INDIGENOUS AND NON-INDIGENOUS PEOPLES

Despite some significant gains over the past decade, large gaps still exist between Indigenous and non-Indigenous people with respect to socioeconomic outcomes. These gaps exist in every jurisdiction across Canada but they are particularly apparent in Manitoba where Indigenous people comprise 16.7% of the total population.

Indigenous people continue to be over-represented in every 'misery statistic' from every service delivery system in Manitoba. The Department works with other provincial government departments, the federal government and the private sector to address these gaps in the interest of Manitoba's future social and economic prosperity in a variety of policy and program areas.

Key objectives include:

- closing gaps in educational attainment between indigenous and non-indigenous people.
- enhancing economic opportunities for Indigenous and northern Manitobans, particularly with respect to employment and community economic development opportunities;
- improving Indigenous peoples' health outcomes;
- ensuring Indigenous and northern access to adequate, affordable and accessible housing and other infrastructure; and,
- maintaining relationships with Indigenous and Northern Manitobans that are positive, productive and respectful.

STRATEGIC PRIORITY 2: FULFILLING CONSTITUTIONAL AND OTHER AGREEMENTS

The Department is responsible for province wide Crown-Aboriginal consultation activities and leads the coordination, negotiation, and implementation of provincial agreements relating to the adverse effects of hydroelectric development, treaty land entitlement (TLE), land use planning, self-government and other natural resource-related issues.

Key objectives include:

- fulfilling constitutional and other agreement obligations to First Nations and other Indigenous communities.
- Identifying and fulfilling provincial responsibilities relating to Section 35 of Constitution Act, 1982; and,
- negotiating and implementing agreements for self-government.

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PRIORITY 3: GOVERNANCE AND SELF-GOVERNANCE

The Division is committed to the advancement of independent, sustainable local government through a process of partnership and consultation. This includes supporting northern community development, transferring service delivery responsibilities to Indigenous communities where possible and the provision of funding and other resources in support of Indigenous agencies and First Nation autonomy.

Key objectives include:

- increasing community autonomy through greater self-determination, accountability and sustainable growth;
- facilitating the development of institutions of self-government;
- developing policy, programs and services that are delivered by Indigenous and northern people.

PRIORITY 4: INFRASTRUCTURE RENEWAL

The state of infrastructure in many Indigenous and Aboriginal and Northern Affairs communities is aging, affecting both economic and social development. A key consideration is how this infrastructure will need to be upgraded to accommodate a young population as well as an increasingly aging demographic.

There is an obligation to respond to requirements under legislation in the areas of infrastructure renewal and municipal operations (i.e. water quality, wastewater treatment, waste disposal site requirements, water operator training, workplace safety and health requirements and fire inspections of public buildings).

Key objectives include the:

- construction of infrastructure and training of operators necessary for providing safe drinking water and wastewater treatment in all Aboriginal and Northern Affairs communities; and,
- provision of safe community infrastructure in all Aboriginal and Northern Affairs communities.

FINANCIAL OVERVIEW

The Department of Aboriginal and Northern Affairs had an annual budget of \$33,527,000 in 2015/16 (see Table 1). This reflects a 12% reduction over the last five years (since 2011/12).

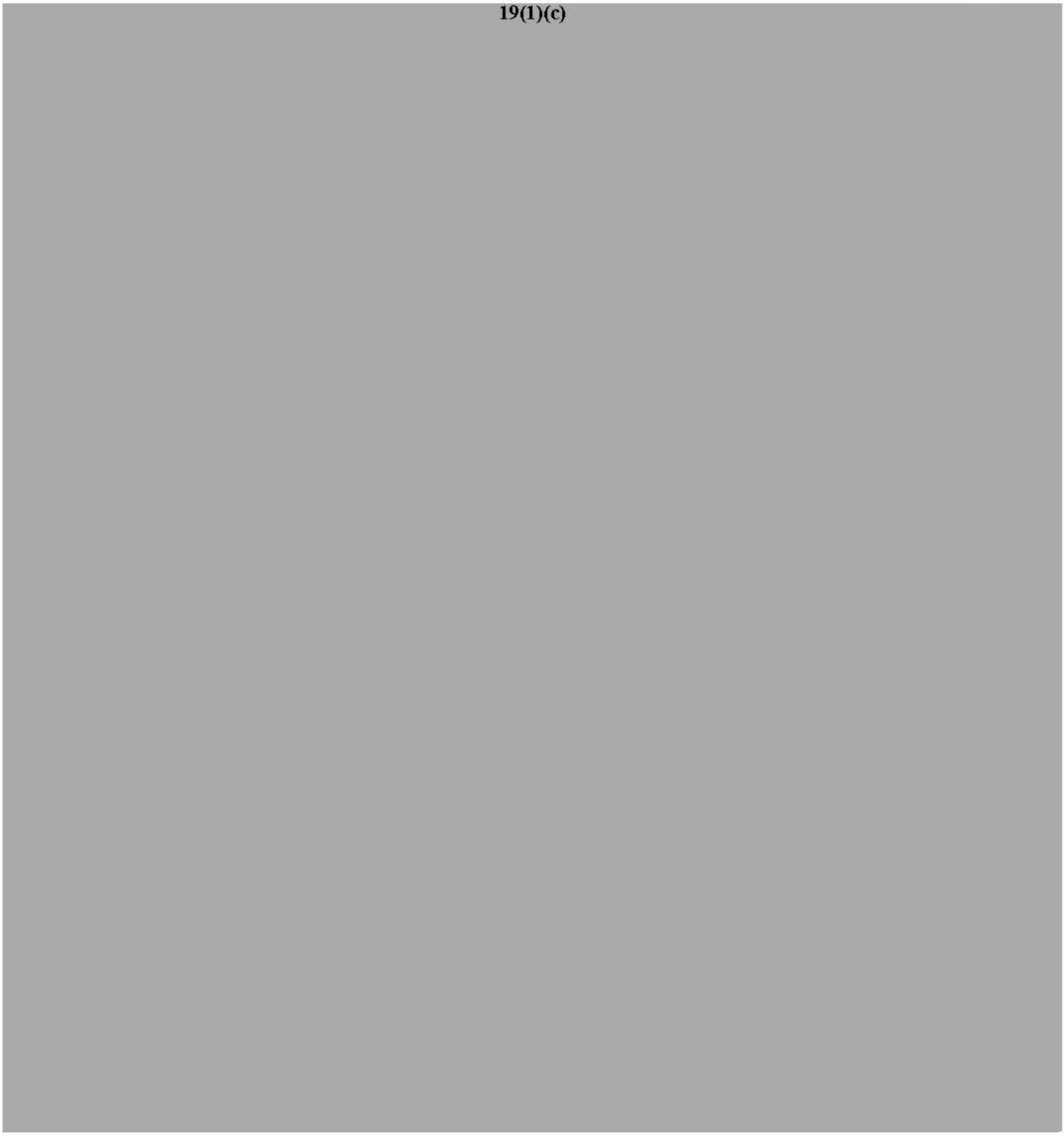
Reductions have been managed primarily through:

- 47% reduction in Agreements Implementation from \$1.3 million in 2011/12 to \$679,000 in 2015/16;
- 19% reduction in the Aboriginal Economic and Resource Development Fund (AERD) from \$1.1 million in 2011/12 to \$900,000 in 2015/16;
- 13% reduction in Economic Growth Funds from \$4.8 million in 2011/12 to \$4.2 million in 2015/16;
- 8% reduction in support to Aboriginal Development Programs from \$3 million 2011/12 to \$2.8 million in 2015/16;
- a \$400,000 reduction in the Department's allocation for TLE under enabling appropriations;
- a 19% reduction in community capital support from \$1.7 million in 2011/12 to \$1.4 million in 2015/16; and,
- strategic prioritization of efforts, deferring work and vacancy management.

It will become increasingly difficult to defer work in upcoming years as work is attached to obligations set out in various agreements. It will also become increasingly difficult to further reduce program spending or reduce spending through vacancy management.

As of October 19, 2015, the Department has been issued a target of 0% increase/decrease for 2016/17 relative to its 2015/16 estimates of expenditure.

19(1)(c)



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POLICY AND FINANCIAL PRESSURES

Legal Services:

Manitoba Justice – Civil Law Division through the Legal Services Branch continues to provide legal services to AMAC in support of its coordination, negotiation, analysis and implementation initiatives and activities. This includes legal service support as it relates to AMAC's primary coordinating responsibilities for Crown-Aboriginal consultations for the province. AMAC continues to experience a rise in legal service costs which already represent a sizeable portion of its operational and program budgets.

NFA Arbitrator's office:

There is now a Northern Flood Agreement (NFA) Arbitrator in place (after a two-year vacancy) that requires substantial funding. Manitoba's contribution for the office is cost-shared on a 1/3 basis with Manitoba Hydro and Canada. Related costs (e.g., contract, office, legal) to Manitoba came in at under \$150.0 for the 2015/16 fiscal year.

Cross Lake / Pimicikamak Process Agreement:

A Progress Agreement was signed in November, 2014, between Cross Lake / Pimicikamak, Manitoba and Manitoba Hydro to address principles and scope; process and timing; and funding for the negotiations of NFA implementation. Financial fairness; energy efficient model project; Hydro assessment; Hydro operation decision-making; and water power rental payments are all subjects under consideration. This agreement includes a provision for a work plan and budget which is currently being developed for the current and next fiscal year between the parties.

20(1)(c); 21(1)(c); 23(1)(c); 28(1)

Manitoba continues to meet its obligations under the Northern Flood Agreement through the annual NFA Action Plan process.

20(1)(a)(c)(c.1); 21(1)(a)(c)(c.1); 23(1)(a)(c)(f); 28(1)

Crown-Aboriginal Consultations:

Operation costs are anticipated to continue to increase due to the volume of project coordination.

Survey Costs:

Under the Adverse Effects Agreements, AMAC is responsible for the cost of surveying Crown land being transferred to Reserve status and/or fee simple. Approximately 466,740 acres of Crown land will require surveying. Depending on location and size of the selection, surveying costs can be extremely high. For example, the estimated (2012) survey cost for five land selections from the Cross Lake Community Settlement Agreement ranges from \$55,000 to \$280,000.

Community Operations and Maintenance:

The Department currently receives \$10,151,000 for funding annual community operations and maintenance to 50 communities. The accumulated amount for Maintenance Cost Analysis (MCA) has increased over the past six years for community operations due to items such as the Waste Reduction & Recycling Support (WRARS) Levy, community employee wage increments, Workplace Safety & Health training & equipment and other legislative requirements. These contribute a total amount of \$3,452,400. This funding is essential to assist communities to provide safe drinking water, protect the environment and address health and safety issues.

Community Training:

There are regulations and legislation coming into effect that will bring financial pressure to the Department's operations. One area that has been impacted is training. The Department has reduced training to communities by alternating years of delivery. This impacts the capacity and knowledge of the employees in the communities. As the accumulated amount continues to grow without new funding, other programs and services will have to be cut to accommodate those costs. Compliance is already an issue given limited fiscal and human resources at the community and department level.

Compliance:

The Department, as the municipal authority for unincorporated communities under *The Northern Affairs Act*, responds to legislation, regulations and guidelines set by Department of Conservation/Water Stewardship. Communities are already challenged in being compliant with existing legislation and the introduction of new legislation or guidelines compounds the non-compliance. Recent regulation changes include phosphorus and nutrient removal from wastewater, water quality standards in treatment/supply and waste disposal site operations. This has resulted in multi-million dollar financial implications. ANA has not received any new funding to accommodate the increased costs at the community and departmental level to achieve full compliance.

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Failure to be fully compliant poses a risk to the health and safety of community residents.

Loan Act Principle and Interest:

The Department delivers capital projects to 47 unincorporated communities by borrowing through the Loan Act. These projects address legislative and environmental requirements as well as improve local services to communities. Prior to 2008/09, the Department was provided with a grant line of \$6 million to execute capital projects. In order to reduce the statement of expenditure, it was deemed prudent to borrow capital project funds over the life of the asset which is typically 20 years. The loan payments, comprised of principal and interest (P&I), are part of the Department's annual appropriation.

Each year, the Department borrows approximately \$6 million dollars. The accumulation of all these loans has resulted in P&I payments that exceed the Department's annual budget. The Department currently owes \$27.3 million with an anticipated payment of \$2.7 million in 2016/17. The annual appropriation is only \$1.4 million. The shortfall has been addressed over the past few years using funds received from the Building Canada Fund. These funds will be exhausted in 2017/18 at which time the Department will be unable to fulfill its payment obligations for the loans without an increase to the existing appropriation amount of \$1.4 million.

As the Department continues to borrow new funds each year to address legislative and environmental requirements, the P&I payments will continue to grow. The first loans will not be repaid in full until 2019. At that time, P&I payments may begin to decrease, depending on the capital requirements for new projects.

It should be noted that the loan obligation is very sensitive to rising interest rates.

Delivering capital projects to the unincorporated Northern Affairs communities is essential to maintaining a decent standard of living for residents and is well aligned with the strategic priorities of Government. The provision of safe drinking water is a basic need and building water treatment plants constitutes a large portion of the annual expenditure.

Reconciliation Activities:

There is growing pressure on the Department to pursue further substantive reconciliatory action with Indigenous peoples as a result of the recent release of the Final Report of the Truth and Reconciliation Commission of Canada and the passing of Manitoba's *Path to Reconciliation Act*.

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COMMUNITY CONTACTS

Aboriginal Council of Winnipeg (ACW)

President: Damon Johnston
Address: 112-181 Higgins Avenue, Winnipeg, MB, R3B 3G1
Phone: (204) 989-6380

Assembly of Manitoba Chiefs (AMC)

Grand Chief: Derek Nepinak
Executive Director: Marcel Balfour
Address: 200-275 Portage Avenue, Winnipeg, MB, R3B 2B3
Phone: (204) 956-0610

Frontier School Division (FSD)

Chief Superintendent: Reg Klassen
Area 1 Superintendent: Don McCaskill
Address: 30 Speers Roadm, Winnipeg, MB, R2J 1L9
Phone: (204) 775-9741

Indigenous and Northern Affairs, Canada (INAC)

Minister: The Honourable Carolyn Bennett MP
Deputy Minister: Colleen Swords
Address: 10 Wellington - North Tower. Ottawa, ON, K1A 0H4
Phone: (819) 997-0002

Manitoba Keewatinowi Okimakanak (MKO)

Grand Chief: Sheila North Wilson
Executive Director: Kelvin Lynxleg
Address: 200-701 Thompson Drive, Thompson, MB, R8N 2A3
Phone: (204) 677-1600

Manitoba Métis Federation (MMF)

President: David Chartrand
Executive Director: Don Roulette
Address: 300-150 Henry Avenue, Winnipeg, MB, R3B 0J7
Phone: (204) 586-8474

Manitoba Moonvoices

President: Bernadette Smith
Executive Director: Vacant
Address: 715 Main Street, Winnipeg, MB, R3B 3N7
Phone: (204) 942-1329

Northern Association of Community Councils (NACC)

President: Reg Meade
Executive Director: Mallory Fleming
Address: 2-565 Roseberry Street, Winnipeg, MB, R3H 0T3
Phone: (204) 947-2227

RCMP D-Division

Contact: Alex Bear, Sgt (Aboriginal Policing Services)
Address: 1091 Portage Avenue, Winnipeg, MB, R3C 3K2
Phone: (204) 984-3295

Southern Chiefs Organization (SCO)

Grand Chief: Terrance Nelson
Chief of Staff: Don Courchene
Address: 105-1555 St James Street, Winnipeg, MB, R3H 1B5
Phone: (204) 946-1869

Food Matters Manitoba (FMM)

A/Executive Director: Stefan Epp-Koop
Address: Unit 4-640 Broadway Winnipeg, Manitoba, R3C 0X3
Phone: (204) 943-0822

Lifesaving Society Manitoba

Executive Director: Carl Shier
Address: 383 Provencher Blvd #100, Winnipeg, MB R2H
Phone: (204) 956-2124

University College of the North

President: Konrad Jonasson
Address: 55 UCN Drive, Thompson, MB, R8N 1L7
Phone: (204) 677-6450

STATUTORY RESPONSIBILITIES

The Northern Affairs Act:

The Northern Affairs Act was proclaimed in 1966 and gave powers to the Northern Affairs Commission to provide designated northern communities with municipal services focused on physical infrastructure development. The *Act* was amended several times with the last amendment in 2006. The development of Manitoba Aboriginal and Northern Affairs as a government department began when the *Act* was proclaimed.

The Minister is responsible for coordinating the activities of government in northern Manitoba and is the municipal authority for communities that are not incorporated under the *Act*. The *Act* also provides the government with the authority to coordinate interprovincial and interjurisdictional initiatives, policies and strategies affecting northern Manitoba.

The Planning Act (Part 9):

The Planning Act outlines the legislative framework for planning on private land in Manitoba, outside the City of Winnipeg. The first Planning Act was adopted in 1916 with new Acts in 1964, 1976, and most recently in 2006.

Through the Northern Manitoba Planning By-Laws Regulation, the Minister is able to delegate authority to enact a development plan by-law and a zoning by-law for an area that is not in an incorporated community to the local committee or community council. Any by-laws must be properly filed and acceptable to the Minister.

The Communities Economic Development Fund Act:

The Communities Economic Development Fund Act was adopted in 2004 and last amended in 2013. The *Act* established the Communities Economic Development Fund to encourage economic development in northern Manitoba and as related to indigenous people within the province outside the city of Winnipeg and the fishing industry.

The Minister facilitates the appointment of the Fund's board members and is responsible for forwarding financial statements and annual reports to the Legislative Assembly.

SCHEDULED EVENTS

Event	Details	Minister's Role
Aboriginal Affairs Working Group Meeting The AAWG is a national Federal-Provincial-Territorial-Aboriginal (FPTA) forum made up of national Aboriginal leaders and Aboriginal Affairs Ministers.	May 19 & 20, 2016 Explorer Hotel Yellowknife, NWT <i>Note: Tentative Dates</i>	The Minister will be expected to attend the AAWG meeting and endorse the work of the AAWG's various officials-level working groups.
VisionQuest Conference Vision Quest brings together innovators, entrepreneurs and business leaders to discuss and promote Aboriginal business, community and economic development.	May 17-19, 2016 RBC Convention Centre Winnipeg, MB	The Premier and/or Minister of Aboriginal and Northern Affairs is usually asked to bring greetings and be part of a grand entry ceremony for this annual event.

ACRONYMS

AAS	Aboriginal Affairs Secretariat
AAWG	Aboriginal Affairs Working Group
ADP	Aboriginal Development Program
AERD	Aboriginal Economic and Resource Development Fund
ACW	Aboriginal Council of Winnipeg
ALM	Aboriginal Languages of Manitoba
ANA	Manitoba Aboriginal and Northern Affairs
AMAC	Agreements Management and Aboriginal Consultations (Branch)
AMC	Assembly of Manitoba Chiefs
ATR	Additions to Reserve
CAB	Capital Approval Board
CACPF	Crown-Aboriginal Consultation Participation Fund
CEDF	Communities Economic Development Fund
CIA	Comprehensive Implementation Agreement
CIZ	Community Interest Zone
CSA	Community Settlement Agreements
EFN	Entitlement First Nation
FA	Financial and Administrative Services Division
FPEGF	First Peoples Economic Growth Fund
IDWG	Interdepartmental Working Group on Crown-Aboriginal Consultation
IICC	Indigenous Issues Committee of Cabinet
INAC	Indigenous and Northern Affairs, Canada
ISAA	Intergovernmental Strategic Aboriginal Alignment
LG	Local Government Development Division
LUP	Land Use Plan
MASRC	Manitoba Aboriginal Sport and Recreation Council

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MAC	Manitoba Association of Friendship Centres
MEDF	Métis Economic Development Fund
MFA	Manitoba Framework Agreement
MIA	Master Implementation Agreement
MKO	Manitoba Keewatinowi Okimakanak
MMF	Manitoba Métis Federation
NACC	Northern Association of Community Councils
NAF	Northern Affairs Fund
NCR	North Central Region
NDMF	Northern Development Minister's Forum
NFA	Northern Flood Agreement
NHFI	Northern Healthy Foods Initiative
NR	North Region
(M)NRTA	(Manitoba) Natural Resource Transfer Agreement
NYEI	Northern Youth Empowerment Initiative
PPD	Program Planning and Development (Branch)
PSI	Policy and Strategic Initiatives (Branch)
RMA	Resource Management Area
RMB	Resource Management Board
RTL	Registered Trap Line
SCO	Southern Chiefs Organization
TLE	Treaty Land Entitlement
TLEC	Treaty Land Entitlement Committee of Manitoba
TRC	Truth and Reconciliation Commission of Canada
UCN	University College of the North
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples

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INDEX OF URGENT ISSUES

<u>Issue</u>	<u>Timeline for Action</u>	<u>Page #</u>
Sayisi Dene First Nation Relocation Claim	Signing Ceremony Possible by May 31, 2016	24
19(1)(c); 20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c)(f); 28(1)	April 20 – May 30, 2016	25
Buffalo Point First Nation Arbitration	Arbitration Scheduled for May 12 – 13, 2016	26

ABORIGINAL AND NORTHERN AFFAIRS URGENT ISSUES

Issue:

In February 2000, the Sayisi Dene First Nation (SDFN) filed a Relocation Claim against the Government of Canada for compensation and other remedies arising from the relocation of their community from Little Duck Lake to the Churchill region in 1956.

20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c); 28(1)

Current Status:

In August, 2010, Minister Robinson delivered a formal apology to the SDFN leadership at a ceremonial site in Churchill for Manitoba's role in the Relocation of the SDFN people to the Churchill area in 1956.

23(1)(a)(c); 28(1)

Canada's Relocation settlement offer to the SDFN includes financial (\$33.6 million), funding for comprehensive community planning, creating Reserve from the Manitoba land contribution and a formal apology.

20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c); 28(1)(c.iii)

20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c); 28(1)


20(1)(c); 21(1)(c); 23(1)(a)(c); 28(1)

Options:

Best efforts are being made by all parties to conclude the final land exchange agreement as soon as possible.

Contact: Cynthia Jourdain, Coordinator, 391-5764

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ABORIGINAL AND NORTHERN AFFAIRS URGENT ISSUES**19(1)(c); 20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c)(f); 28(1)**


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ABORIGINAL AND NORTHERN AFFAIRS URGENT ISSUES

Issue:

Manitoba is proceeding to arbitration with Buffalo Point First Nation (BPFN) regarding BPFN's Birch Point Treaty Land Entitlement (TLE) Selection.

Current Status:

In 1995, BPFN made a 138.75 acre TLE selection at Birch Point, which included the Birch Point Provincial Park. Manitoba has maintained that a portion of the TLE selection is not eligible because it is within the Birch Point Provincial Park. The Manitoba Framework Agreement (3.03 {6-a}) states that an Entitlement First Nation may not generally select land within a provincial Park". BPFN disagrees with Manitoba's position and feels that there is flexibility in the words "may not generally".

On November 27, 2014, BPFN submitted a BCR to the Implementation Monitoring Committee (IMC) requesting that their unresolved issue be advanced to binding arbitration. On February 23, 2015, the Senior Advisory Committee (SAC) met and decided that this issue would proceed to binding arbitration. Since then, the IMC has taken the necessary steps for binding arbitration including:

- the development of questions to be answered by the adjudicator;
- selecting the adjudicator 17(1); 17(3)(d)
- signing of the contract with 17(1); 17(3) including timelines for completion of the binding arbitration.

The arbitration process is scheduled for the end of May, 2016.

Options:

20(1)(c); 21(1)(c); 23(1)(a)(c)

Contact: Chelsea Silva, Manager, (204) 794-1674

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Addressing the effects of the 2011 Interlake flood on the First Nations of Little Saskatchewan, Dauphin River, Pinaymootang and Lake St. Martin

ISSUE:

- The flood event in the interlake region during 2011 damaged and destroyed housing and community infrastructure in the First Nations of Pinaymootang, Lake St. Martin, Little Saskatchewan and Dauphin River.
- Community members were evacuated during 2011 and many people currently remain displaced from their homes.
- Manitoba, through MIT and ANA is working with the Government of Canada (through INAC) and the leadership of the four First Nations 23(1)(a)(c);28(1) related to the flooding of these communities:
 1. the rebuilding of housing and supporting infrastructure to return evacuated citizens back to their home communities;
23(1)(a)(c); 28(1)
- ANA coordinates the land elements of the settlements and is the lead contact for engagement with the First Nations' leadership.
- 23(1)(a)
ANA involvement is consistent with the Departmental Mission of social and economic opportunities, and Goals for healthy, safe and sustainable Aboriginal and northern communities.

CRITICAL BACKGROUND:

- There are 1,840 people who remain evacuated from the communities as a result of the 2011 flood. Manitoba and Canada are cost-sharing the infrastructure and housing required to rebuild communities on higher ground. Housing projects in all communities are being implemented in phases. New homes are available at Dauphin River and the community is currently working to allocate homes in accordance with family sizes. Housing projects at Lake St. Martin and Little Saskatchewan are planned for summer 2016. 23(1)(a)(c)(f); 28(1)

23(1)(a)(c)(f); 28(1)

- 20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c.); 25(1)(n); 28(1)

- 23(1)(a)(c); 28(1)

- 23(1)(a)(c); 28(1)

- 23(1)(a); 25(1)(n)

Contact: Geoff Sarenchuk, Coordinator, 204-391-1472

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Norway House Community Council – Final Settlement Agreement Related to Manitoba Hydro Projects

ISSUE:

- 23(1)(a)(c); 28(1)
[Redacted]
- 23(1)(a)(c); 28(1)
[Redacted]
- 20(1)(c.1); 21(1)(c.1); 23(1)(a)(c); 28(1)
[Redacted]

CRITICAL BACKGROUND:

- In 1992, the Northern Affairs Communities of Cross Lake and Norway House filed Statements of Claim in the Court of Queen's Bench against Manitoba, Manitoba Hydro and Canada. The claims related to the adverse effects of hydroelectric developments (i.e. Lake Winnipeg Regulation and Churchill River Diversion Projects).
- Towards reaching settlement, the parties signed an Agreement-in-Principle on April 30, 2003. The draft Norway House Community Settlement Agreement was completed in 2009 and has initial approval by the parties (Manitoba, Manitoba Hydro, Mayor and Council). 23(1)(a)(c)(f); 28(1)
[Redacted]
 - 23(1)(a)(c)(f); 28(1)
[Redacted]
 - 23(1)(a)(c)(f); 28(1)
[Redacted]

- [REDACTED] 23(1)(a)(c)(f); 28(1)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED] 19(1)(b); 20(1)(c.1); 21(1)(c.1)
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED] 23(1)(a)(c)(f); 25(1)(n)
[REDACTED]
- Cross Lake Community, Manitoba and Manitoba Hydro signed its Cross Lake Settlement Agreement in September, 2010 and implementation is underway. 21(1)
[REDACTED] 21(1)(c); 23(1)(a)(c)(f); 28(1)21(1)(c); 23(1)(a)(c)(f); 28(1)21(1)(c); 23(1)(a)(c)(f); 28(1) (c);
[REDACTED] 21(1)(c); 23(1)(a)(c)(f); 28(1)21(1)(c); 23(1)(a)(c)(f); 28(1) 23(1)
(c)
- Representatives of the Community of Norway House, Manitoba Hydro and Manitoba, have also completed an advance payment agreement (\$2 million) on January 15, 2016.
- The parties will continue working with best efforts to conclude a final settlement agreement to resolve the outstanding flood compensation claim.

Contact: Jason Fontaine, (204) 805-0028

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Sayisi Dene Relocation Settlement claim with Canada

ISSUE:

- 19(1)(a)
[Redacted]
[Redacted]
[Redacted]
- 23(1)(a)(c); 28(1)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
- 23(1)(a)(c); 28(1)
[Redacted]
[Redacted]
[Redacted]
- 23(1)(a)(c); 28(1)
[Redacted]
[Redacted]

CRITICAL BACKGROUND:

- In February 2000, the Sayisi Dene First Nation (SDFN) filed a Relocation Claim against the Government of Canada for compensation and other remedies arising from the relocation of their community from Little Duck Lake to the Churchill region in 1956.
- 20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c); 28(1)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
- 20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c); 28(1)
[Redacted]
[Redacted]

20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c); 28(1)

- In August, 2010, Minister of ANA delivered a formal apology to the SDFN leadership at a ceremonial site in Churchill for Manitoba's role in the Relocation of the SDFN people to the Churchill area in 1956. 23(1)(a)(c); 28(1)
- Canada's Relocation settlement offer to the SDFN includes financial (\$33.6 million), funding for comprehensive community planning, creating Reserve from the Manitoba land contribution and a formal apology. 20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c); 28(1)
- The First Nation has, by ratification vote on March 29, 2016, approved the terms of a final settlement agreement between the First Nation and Canada to fully and finally settle the Relocation Claim of the First Nation against Canada 20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c); 28(1)

Contact: Jason Fontaine, (204) 805-0028

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Sioux Valley Dakota Nation Governance Agreement

ISSUE:

- The Sioux Valley Dakota Nation Governance Agreement (August 30, 2013) removes Sioux Valley Dakota Nation (SVDN) from some provisions of the Indian Act and will co-exist with current federal and provincial laws. The Governance Agreement provides for specific arrangements over social matters, child welfare, criminal justice, health, education, resource management, exhibition gaming and taxation. SVDN has legal status including the right to hold property, enter into contracts, institute or defend legal actions.
- The Governance Agreement is between SVDN and Indigenous and Northern Affairs Canada (INAC), however, Manitoba (MB) is signatory to the Sioux Valley Dakota Nation Tripartite Governance Agreement which affirms the Governance Agreement.

CRITICAL BACKGROUND:

- 19(1)(c); 20(1)(c.1); 21(1)(c.1); 23(1)(a)
[Redacted text block]
- 20(1)(c.1); 21(1)(c.1)
[Redacted text block]
- 20(1)(c.1); 21(1)(c.1)
[Redacted text block]

Contact: George Ryle, Coordinator 204-391-7041
Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: TLE Implementation and Status of Land Transfer

ISSUE:

- To date, under all Treaty Land Entitlement (TLE) agreements in Manitoba, a total of 598,059 (Crown and residual) acres have been transferred by Manitoba to Canada with 574,957 acres set apart as reserve.
- Manitoba continues to work in partnership with Canada and the Entitlement First Nations (EFNs) to complete the transfer of TLE Crown land selections and acquisitions (other lands i.e. private lands).

CRITICAL BACKGROUND:

- Manitoba's participation in TLE results from provincial obligations under the Manitoba Natural Resources Transfer Agreement (MNRTA) of 1929/30. The MNRTA requires that Manitoba set aside sufficient unoccupied Crown land out of lands transferred to Manitoba to enable Canada to satisfy its Treaty obligations. This is a Constitutional obligation and is considered a provincial priority.
- Aboriginal and Northern Affairs (ANA) is the lead department for the TLE agreements in Manitoba (nine at present, covering 29 EFNs) for a total of approximately 1.423 million acres of land (Crown and acquisition).
- Under the 1997 Manitoba Framework Agreement (MFA), 21 EFNs are to receive 985,949 acres of Crown land. To date, First Nations with signed Treaty Entitlement Agreements (TEAs) have selected 721,133 unencumbered acres of Crown land and have purchased 9,144 acres.
- Six MFA EFNs have not signed individual TEAs due mainly to outstanding issues associated with the federal government. Their entitlement is 137,529 acres of Crown land. These six EFNs have selected 88,739 acres which Manitoba has recognized in the provincial land registry.
- In four separate TLE Settlement Agreements (March 14, 1994), the Island Lake First Nations were to receive 100,000 acres of Crown land but due to shortfalls (e.g. airport, Manitoba Hydro North Central Project and other lands), this has increased to 103,344 acres. TLE for St. Theresa Point and Wasagamack First Nations is complete.

- Three individual TLE Settlement Agreements have been signed (1994 – 1996) between Canada and Long Plain, Roseau River and Swan Lake First Nations. These are for acquisition lands (55,690 acres) and not Crown lands. To date, 17,892 acres have been purchased with 10,759 acres set apart as reserve by Canada.
- The Peguis TEA (signed April 29, 2008) consists of 55,038 acres of Crown and 111,756 acres of acquisition lands. Peguis has selected 40,076 acres of Crown land and have purchased 2,641 acres. None of these selections or acquisitions have been converted to reserve.
- Common issues that impact the TLE process include the resolution of various third party interests, Municipal Development and Service Agreements and easement agreements on certain selections.
- Since 2014, Indigenous and Northern Affairs Canada (INAC) has been implementing their duty to consult policy that needs to be completed prior to reserve creation for EFNs' TLE selections. Since early 2014, INAC has been engaged in their consultation process on numerous TLE selections with other First Nations, Aboriginal communities and the Manitoba Metis Federation (MMF).
- Manitoba continues to support INAC in its consultations efforts.

Contact: Chelsea Silva, 794-1674

Date: April 19, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Buffalo Point First Nation Arbitration

ISSUE:

- Manitoba is proceeding to arbitration with Buffalo Point First Nation (BPFN) regarding BPFN's Birch Point Treaty Land Entitlement (TLE) selection.
- The arbitration is scheduled for May 12th and 13th, 2016.

- 23(1)(a)(c); 25(1)(n)

CRITICAL BACKGROUND:

- In 1995, BPFN made a 138.75 acre TLE selection at Birch Point, which included the Birch Point Provincial Park.
- Manitoba has maintained that a portion of the site is not available for selection because it is within the Provincial Park.
- The Manitoba Framework Agreement (MFA) states that an Entitlement First Nation "may not generally select land within a Provincial Park".
- BPFN disagrees with Manitoba's position, and feels that there is flexibility in the words "may not generally".
- BPFN submitted a Band Council Resolution (BCR) on November 27, 2014, to the Implementation Monitoring Committee (IMC) to request the issue be advanced to binding arbitration.
- The Senior Advisory Committee (SAC) met February 23, 2015, and decided the issue would proceed to binding arbitration.
- The IMC has taken the necessary steps for the arbitration process, including:
 - Development of questions to be answered by the adjudicator;
 - Selection of the adjudicator 17(1); 17(3)(d)
 - Signing the contract with 17(1); 17(3) including timelines for completion of the arbitration.

- 23(1)(a)(c); 25(1)(n)
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Contact: Chelsea Silva, 794-1674

Date: April 19, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Cross Lake First Nation – Process Agreement

ISSUE:

- On November 27, 2014, representatives from Pimicikamak on its own behalf and on behalf of Cross Lake First Nation (CLFN), Manitoba Hydro and Manitoba Aboriginal and Northern Affairs signed a Process Agreement that set out the matters to be addressed by the three parties, including a new Northern Flood Agreement (NFA) relationship.
- Since the signing of the Process Agreement, the parties held regular Main Table, Working Group and Technical Meetings. 23(1)(c)
[REDACTED]
- To date, the three parties have reviewed and approved multiple programs under the NFA Action Plan, 23(1)(a)(c)(f)
[REDACTED]
- 20(1)(c.1); 21(1)(c.1); 23(1)(a)(c)(f)
[REDACTED]

CRITICAL BACKGROUND:

- 20(1)(c); 21(1)(c); 23(1)(c)(f); 28(1)
[REDACTED]
- In 2015, Manitoba and Manitoba Hydro signed a contribution agreement with Pimicikamak where each party would pay one third the costs to build a modular building in Cross Lake for the purpose of being an NFA office. The office is expected to be in place by summer 2016 and, 20(1)(c.1)
[REDACTED]

- 20(1)(c); 21(1)(c)
- Aboriginal and Northern Affairs will continue working with Manitoba Hydro and Pimicikamak on the Process Agreement to further maintain a positive relationship under the NFA.

Contact: Mona Bencharski, 204-918-6922

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Inuit South of 60° Claim (Inuit and Manitoba)

ISSUE:

- 23(1)(a)(c); 28(1)
[REDACTED]
- 23(1)(a)(c); 28(1)
[REDACTED]
[REDACTED]
[REDACTED]
- The Manitoba team is led by Aboriginal and Northern Affairs (Agreements Management & Aboriginal Consultations Branch) and consists of representatives from Civil Legal Services and Manitoba Conservation and Water Stewardship.

CRITICAL BACKGROUND:

- The Inuit are seeking settlement of their land, harvesting rights and interests in northern Manitoba from a modern-day Treaty perspective to include terms agreed with the Manitoba Dene in the 2005 Overlap Accord and principles of the framework applied in the Nunavut Land Claim Agreement (1993).
- The Nunavut Land Claims Agreement (NLCA) resolved claims by the Inuit North of 60° but does not resolve claims in Manitoba.
- The 2005 Overlap Accord between the Manitoba Dene (Northland Dene and Sayisi Dene) and the Inuit resulted from Canada's negotiations for the recognition of Manitoba Dene rights north of 60°. It involves mainly Dene lands in Nunavut; however, the lands are subject to the Inuit securing comparable interests, including land ownership, in Manitoba. Canada, Manitoba and Nunavut are not parties to the Overlap Accord.
- The Manitoba Dene (Sayisi Dene and Northlands Dene) are currently negotiating a North of 60° settlement agreement with Canada which involves the provision of approximately 4.5 Million acres of land in Nunavut and 395,000 acres of lands in the North West Territories. 23(1)(c);
[REDACTED]
- On September 15, 2013, AICC approved the provision of up to 213,000 Crown land acres and a proposed protected area to the Inuit based on their land proposal (December, 2011).

- In September, 2014, Manitoba also advised that financial support would be considered for the Inuit's participation on the proposed Resource Management Board.
- On December 2, 2014, Manitoba conducted a public consultation/information session in Churchill with the local leadership and Churchill residents about the Inuit land selections. Manitoba is currently preparing a final report for the Town of Churchill.
- An Agreement in Principle was signed on January 18, 2016 which included 4 components:
 1. *The Draft Kivahiktuq Agreement*: This signifies substantive agreement on the text of the final Kivahiktuq Agreement. Once the final Kivahiktuq Agreement is signed, it will constitute a treaty and an amendment to the NLCA that provides treaty rights to the Inuit. Parties are the Inuit, Manitoba and Canada.
 2. *Three-Party Agreement*: This agreement addresses the same issues as the Kivahiktuq Agreement except that it is not considered treaty and part of the NLCA. Parties are the Inuit, Dene and Manitoba.
 3. *Consultation Waiver*: Developed by the Inuit and the Dene to address issues between them about the concern that the Inuit would claim that they have NRTA hunting rights outside the KSA and thus be entitled to be consulted and accommodated about decisions outside the KSA. The Inuit and the Dene were agreeable to signing the waiver in this form.
 4. *Resource Management Board Agreement*: Will create the largest Resource Management Area in Manitoba. Parties are the Inuit, Dene and Manitoba. In September 2014, Manitoba advised that financial support would be considered for the Inuit's participation on the proposed Resource Management Board.

- 23(1)(c)

- 23(1)(c)

Contact: Jason Fontaine, (204) 805-0028

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Human resource issues

ISSUE:

- Challenges to hire qualified staff outside of Winnipeg for the ANA Department.
- Challenges to hire qualified individuals in the North, specifically in the management positions which require an accounting designation or equivalent work experience for the Finance and Administrative Services Division.

CRITICAL BACKGROUND:

Human resource issues affect operations in all areas of the Department. The Department requires a wide range of skills and expertise to carry out its mandate. Staff require a level of knowledge and expertise related to Aboriginal and northern communities as well as expertise in the specific area in which they work. As a result, it is difficult to hire qualified staff outside of Winnipeg. The time it takes to fill vacant positions with qualified individuals causes strain on operations and on existing staff. A lack of documentation of procedures and processes results in a loss of operational knowledge when a staff member leaves the Department and creates a high learning curve for new staff.

For the Finance and Administrative Services Division specifically, each position is quite unique making it difficult for cross-training and sufficient succession planning. A lot of work has been done in the past two years to train departmental staff on financial policies and procedures and documenting financial processes and requirements however it is difficult to dedicate the required resources due to the staff turnover and heavy workload spread over very few FTEs. The Departmental Comptrollership Plan is in the development phase which will outline existing controls, risk areas, performance measurement and assesses the need for improvement areas. The Comptrollership Plan will provide guidance and serve as an important tool for all staff in carrying out their duties by defining requirements and building on best practices.

Contact: Pavlo Motruk, phone 204-945-4861

Date: April 18, 2016

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: ANA COMMUNITY MAINTENANCE COST ANALYSIS (MCA) FUNDING

ISSUE:

- Aboriginal and Northern Affairs (ANA) currently receives \$10,151.0 for funding annual community operations and maintenance to 50 communities.
- Over the past six years, costs for community operations have increased to an accumulated total of \$3,452.4. This is a result of new requirements such as legislation/regulations, Treasury Board directives and new or expanded infrastructure and services.

CRITICAL BACKGROUND:

- In 1998, ANA introduced a standard MCA funding formula to determine the level of funding support for operations and maintenance of community services based on community infrastructure. This approach was used to ensure equitable funding for municipal services across the unorganized territory.
- Based on the MCA formula, the cost for community operation and maintenance (O&M) is estimated and communities receive 80% of the estimated cost with the balance being covered by locally generated revenue.
- There is no escalation component to the formula or provision for inflation. Although in exceptional circumstances, (e.g. escalation of fuel prices), adjustments were made through the Estimates process.
- The increased costs come from Waste Reduction & Recycling Support (WRARS) Levy, community employee wage increments, workplace safety & health training & equipment and other legislative requirements.
- This funding is essential to assist communities to provide safe drinking water, protect the environment and address health and safety issues.
- There are still more regulations/legislation coming into effect that will bring financial pressure to our operations. One area that has been impacted is training. ANA has reduced training to communities by alternating years of delivery.
- This impacts the capacity and knowledge of the employees in the communities.
- As the accumulated amount continues to grow without new funding, other programs and services will have to be cut to accommodate those costs.
- A full review of the MCA funding formula will be required to ensure components of the MCA are meeting its objectives.

Contact: Freda Albert (204) 677-6795

Date: April 15, 2016

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS (ANA)

SUBJECT: 2016 NORTHERN DEVELOPMENT MINISTERS FORUM (NDMF)

ISSUE:

- The 2016 NDMF is tentatively scheduled for September 11th to 13th in Iqaluit, Nunavut.
- The NDMF provides an opportunity for Ministers representing Canada's northern jurisdictions to discuss priority initiatives for growth across Canada's North.
- Manitoba is leading a priority initiative on Food Security and will be providing a report and panel discussion on the subject at the 2016 Forum.

CRITICAL BACKGROUND:

- The NDMF was established in 2001 to advance the diverse and common interests of Northerners. The mandate is to reinforce cooperation among federal, provincial and territorial authorities in northern regions of Canada.
- Member jurisdictions include:
 - Canada, Alberta, British Columbia, Manitoba, Newfoundland and Labrador, Northwest Territories, Nunavut, Ontario, Quebec, Saskatchewan and Yukon
- There is a Senior Officials Working Group (SOWG) which meets in advance of each Forum and establishes working groups for priority initiatives and helps the host jurisdiction plan the Forum. Manitoba has four members from ANA that sit on the SOWG.
- The participating jurisdictions put forward priority initiatives/projects that if selected, are researched, developed and presented at the following NDMF to the attending Ministers.
- The 2016 Forum in Nunavut will have presentations on the following three priority initiatives: Food Security, Benefit Agreements Part II and Strengthening Working Relationships between Aboriginal and Non-Aboriginal Governments.
- Manitoba's Food Security presentation will include a panel discussion with representation from Canada, a provincial body and an indigenous community member. Manitoba offered to source a provincial body (ANA Northern Healthy Foods Initiative) and a potential community member.
- Travel options are limited to get to Iqaluit and could involve an extra day of traveling or an overnight stay to get there and back. The travel costs are also higher as there are no direct flights from Winnipeg to Iqaluit. The estimated travel and hotel costs for each person would be around \$2.5 to \$3.0.
- The NDMF jurisdictions held a Deputy Ministers conference call on February 2nd, 2016 to discuss the draft agenda and seek Ministers confirmation of attendance.
- Manitoba and other jurisdictions that had spring elections could not confirm attendance until after those elections.

Contact: Paul Doolan (204) 945-2161

Date: April 18, 2016

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: BARROWS AND AREA REGIONALIZATION

ISSUE:

- The North Central Region (ANA) are preparing to regionalize (amalgamate) the Westside Communities of Barrows, Red Deer Lake, Powell and Baden.
- Our Departmental mandate is to ensure the continuation of services to the communities in the west side grouping area in the most effective and efficient manner possible. Regionalization offers the most cost effective opportunity.
- The proposed date of full implementation is October, 2016 to allow for community consultation and a community developed proposal to be forwarded to the Northern Manitoba Consultation Board for approval. The change would also be consistent with the upcoming community elections

CRITICAL BACKGROUND:

- Over the past several years the population in the west side communities (Barrows, Red Deer Lake, Powell and Baden) has shown a gradual yet consistent decline and an aging population.
- The regionalization of this area will result in more efficient and effective delivery of municipal services for all residents in the area. It would also result in workload reductions to ANA regional staff in administrative and consultation hours spent in the area.
- ANA staff have met with and consulted the involved communities numerous times over the past several years on this matter.
- The advantages that will be realized from the regionalization include but not limited to:
 - Local regional administration would provide quicker payment of accounts and payroll.
 - Enhanced standard of service to the entire region through the pooling of resources.
 - Central administration office would serve the entire area, be open five days a week to serve the community residents.
 - Amalgamation of the Population - potentially increases to per capita grant funding and opportunities on a larger scale in addition to a larger tax base
 - Larger pool of human resources to pull from for such programs as fire, and recreation & stronger collective voice for the region
 - Improved equipment for the region (this has already been realized through the implementation of the regional sewer, water and garbage trucks)
 - Internal cost savings to the Department (reduction in travel to the area, elimination of bill and payment processing for current contact communities)
 - The request would require the review by the Northern Consultation Board and recommendation to the ANA Minister.

Contact: Stew Sabiston (204) 622-2152

Date: April 18, 2016

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS (ANA)

SUBJECT: COMMUNITY INCORPORATION

ISSUE:

- The mandate of the department is to work with communities to develop their capacity to be self administering or transition to incorporation as outlined in the *Northern Affairs Act*.
- Incorporated communities will be delegated the existing authority of the Minister of Aboriginal and Northern Affairs and would be recognized as legal entities, would be able to own land and enter into legal agreements/contracts in the community council's name.

CRITICAL BACKGROUND:

- Three ANA communities are currently incorporated and two have put forward proposals indicating their interest in pursuing incorporation.
- Changes in department community capital infrastructure funding have resulted in ANA communities reconsidering the incorporation option.
- The main issue discouraging communities from incorporation is they would not be eligible under the Provincial *Loan's Act*, which replaced the departmental capital grant program, for any funding for infrastructure upgrades or replacement after incorporation as the *Loan's Act* funding is only for provincial owned assets.
- ANA would need to find funding from within for any large capital requirements
- ANA Incorporated communities are relatively small in population with a limited tax base and struggle to raise their required budget of 20% locally generated revenue.
- The transfer of Crown land to incorporated communities also takes a long time (5 to 10 years) and limits development options.
- Of the two ANA communities considering incorporation, one may have no choice but to incorporate if they are to complete a settlement agreement with Manitoba Hydro for financial and land compensation from a claim in 1992 for adverse effects of the Lake Winnipeg Regulation project.
- The community has selected approximately 5000 acres of land as part of the settlement agreement with Manitoba Hydro. An unincorporated ANA community is not able to legally own land under the *Northern Affairs Act*.
- The department is reviewing options and consulting with the community and seeking further legal opinions on the need for incorporation to complete the Manitoba Hydro settlement agreement.

Contact: Paul Doolan (204) 945-2161

Date: April 15, 2016

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS (ANA)

SUBJECT: COMPLIANCE WITH NEW AND EXISTING LEGISLATION/REGULATIONS

ISSUE:

- Department compliance with new and existing legislation/regulations pertaining to water, wastewater, waste disposal sites and the environment.

CRITICAL BACKGROUND:

- Conservation and Water Stewardship (CWS) continues to enhance Manitoba legislation, regulations and guidelines for water, waste water and waste disposal sites.
- ANA is identified as the municipal authority for unincorporated communities under the *Northern Affairs Act* and responds to legislative and regulatory requirements as both a department and/or a municipal authority.
- Regulation enhancements result in direct pressure to the ANA capital program, departmental and community staff and internal/community budgets.
- The department and communities' struggle to be compliant with the current regulations and non-compliance is compounded with the introduction of each new regulation or guideline proposed by CWS. CWS expects ANA to lead the province in compliance towards to the regulations.
- The department has a unique relationship with communities in that our mandate is to develop local capacity to run their own community affairs and public programs.
- ANA has 48 small communities with a total population of 5,547 as per the 2011 census.
- Capacity issues are considerable in some communities and a high turnover of community staff augments non-compliance issues. New and complex technology has further exacerbated the learning gap for small communities.
- Compliance is an issue for operator certification, sampling and operational issues for water, wastewater and now WDS's.
- Recent regulation changes include: phosphorous and nutrient removal from wastewater, water quality standards in treatment/supply and WDS operations resulting in multi-million dollar requirements and increased workload for existing department employees.
- Significant investment is still required to meet infrastructure and training needs. Where possible, ANA continues to negotiate shared services with neighbouring communities and First Nations.
- ANA has not received any budget increments to accommodate the increased costs and staff requirements from these regulation changes.

Contact: Paul Doolan (204) 945-2161
Date: April 15, 2016

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: GRANVILLE LAKE STATUS – DISSOLUTION OF COMMUNITY

ISSUE:

- Past trends in declining population, deteriorating infrastructure, high operating costs and lack of communication from the community of Granville Lake have prompted the department to examine various options on how to address these outstanding issues.
 - Dissolution of the community
 - Mathias Colomb Cree Nation (MCCN) Treaty Land Entitlement (TLE)
 - Continue as a MANA community
 - Transfer status to a cottage area
- The dissolution of the community and transfer of administration to MCCN is the most viable option. Aboriginal and Northern Affairs (ANA) has had several discussions with MCCN regarding Granville Lake.
- In past meetings MCCN indicated they would like the community turned back to an “original state” prior to transfer of the lands. However, Chief and Council have not made a firm commitment if they wanted the community transferred to their care and control.

CRITICAL BACKGROUND:

- Community population is transient, most leave prior to being land locked as supplies are limited. Last report, February 2016 indicates 5 community residents.
- Frontier School Division has closed down the school due to no or low enrolment and is offering home school as an option.
- In 2006 council passed a resolution voluntarily requesting to change status from a trust with Mayor and council to a contact. This is a trust community administered by the department with a contact person identified under the Northern Affairs Act, which expires October 2016. Granville Lake is not indicated in either Schedule A or B of the *Status and Boundaries Regulation 67/2009* which lists unincorporated communities and settlements.
- Services available in the community consist of sewage pump outs, and water and wastewater distribution. Fire services consist of a wajax pump and hoses. The community is a Level 1 Service Group which entails promoting fire prevention through education, as well can respond to minor grass and brush fires.
- The community has been on a Boil Water Advisory since October 17, 2000. There is no dependable way of getting water samples out of the community. There is no consistent and trained Public Works Employee / Water and Waste Water Operator to complete repairs to the infrastructure. The past few years the intake line had frozen, because of insufficient flow / community use based on population.
- The community has limited accessibility with boat / float planes in the summer and snowmobile / planes in the winter. There has been no winter road into the community since 2006.

Contact: Armand Barbeau (204) 677-6737
Date: April 18, 2016

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: HOLLOW WATER FIRST NATION LAND EXCHANGE

ISSUE:

- 20(1)(c); 21(1)(c); 23(1)(a)(c)(f); 28(1)
- 20(1)(c); 21(1)(c)
- 20(1)(c); 21(1)(c); 23(1)(a)(c); 28(1)

CRITICAL BACKGROUND:

- In 2009, Manitoba (Conservation and Water Stewardship) and HWFN signed a MOU which included, among other things, provisions for resolving past and continued public use of First Nations lands through a land exchange and an agreement to address joint development of cottage lots in the area.
- Since 2013, through a provincial committee, Manitoba has been in discussions with HWFN 20(1)(c); 21(1)(c)

- 20(1)(c); 21(1)(c); 23(1)(a)(c)(f); 28(1)
- 20(1)(c); 21(1)(c); 23(1)(a)(c); 28(1)(c.iii)
- 20(1)(c); 21(1)(c); 23(1)(c); 28(1)(c.iii)
- 20(1)(c); 21(1)(c)
- 21(1)(c); 23(1)(a)(f); 28(1)
- 20(1)(c); 21(1)(c); 23(c); 28(1)(c.iii)

Contact: Stew Sabiston (204) 622-2152
Date: April 15, 2016

MANITOBA ABORIGINAL & NORTHERN AFFAIRS

SUBJECT: ILFORD COMMUNITY STATUS/WAR LAKE FIRST NATION TLE

ISSUE:

- Ilford Community Council (ICC), War Lake First Nation (WLFN), Canada and Manitoba are currently in the process of transferring land to reserve status. ICC & WLFN recently signed Municipal Development Service Agreements (MDSA) for waste disposal, waste water and water services. These agreements are consistent within the TLE framework for lands selected within an Aboriginal and Northern Affairs (ANA) community boundary.
- To date 9 % or 480.4 acres of the total WLFN Treaty Land Entitlement (TLE) agreement selected lands have been set apart as reserve and Manitoba (MB) has approved the survey and is awaiting the completion of Canada's crown land consultation process for another 3,699 acres or 66.2%.
- 20(1)(a)(c.1); 21(1)(a)(c.1);

CRITICAL BACKGROUND:

- WLFN TLE consists of 7,156 acres of Crown land under the Manitoba Framework Agreement (MFA). The WLFN TLE Agreement was executed on May 26, 1999.
- WLFN has one TLE selection subject to eligibility based on resolution of a competing interest (Fox Lake First Nation) and access requirements to the trail route through the selection.
- 20(1)(c.1); 21(1)(c.1); 23(1)(a)(c)(f); 28(1)
- 20(1)(a)(c1); 21(1)(a)(c.1); 23(1)(c)(f); 28(1)

Contact: Armand Barbeau (204) 677-6737
DATE: April 18, 2016

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: ILFORD/WAR LAKE WASTE WATER ISSUES

ISSUE:

- Ilford Community Council (ICC), War Lake First Nation (WLFN), Canada and Manitoba are currently in the process of transferring land to reserve status. ICC & WLFN recently signed Municipal Development Service Agreements (MDSA) for waste disposal, waste water and water services.

- 20(1)(a)(c); 21(1)(a)(c); 23(1)(c)(f)
[Redacted]
- 20(1)(a)(c); 21(1)(a)(c); 23(a)(c)(f); 28(1)
[Redacted]
- 20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c)(f); 28(1)
[Redacted]

CRITICAL BACKGROUND:

- ANA committed to a financial contribution of \$3M towards construction of Water and Sewer Projects in War Lake/Ilford. 20(1)(a)(c); 21(1)(a)(c)
[Redacted]
- 20(1)(c); 21(1)(c); 23(1)(a)(c); 28(1)
[Redacted]

Contact: Armand Barbeau (204) 677-6737

DATE: April 18, 2016

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: LOAN ACT – PRINCIPAL & INTEREST (P&I)

ISSUE:

- Aboriginal and Northern Affairs (ANA) currently receives its capital funding through the Loan Act Authorities for funding annual community infrastructure replacement/repairs for 50 communities.
- ANA receives annual grant to fulfill principal and interest obligations for funds borrowed to complete those capital projects.
- As more loans are incurred, the P&I payments grow; but the annual appropriation for P&I payment remain the same.

CRITICAL BACKGROUND:

- Prior to 2009 FY, the department was provided with a grant line to execute projects. In order to reduce the statement of expenditure, it was deemed prudent to capitalize the expenditure and repay over the amortization period.
- The downside of this, now being experienced, is that as more loans are incurred, P & I payments increase.
- Loans are not expected to be extinguished until past 2020.
- This program provides funding support to communities for municipal infrastructure and equipment, engineering consulting services and support for development of project, planning and delivery.
- ANA owns 32 water systems, 25 wastewater systems, along with other infrastructure such as roads and waste disposal sites in the 50 communities. ANA is responsible for all infrastructure meeting environmental regulations and legislation.
- The Department currently owes \$27.3 million with an anticipated payment of \$2.7 million in 2016/17. The annual appropriation for P & I payments is only \$1.4 million.
- As the department executes projects and the surplus is exhausted, Central Finance will be required to increase the grant line for P & I payments.

Contact: Freda Albert (204) 677-6795

Date: April 15, 2016

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: NORTHERN HEALTHY FOODS INITIATIVE (NHFI)

ISSUE:

- NHFI is challenged to effectively fund five NHFI partners, assigned to work in approximately 56 communities. Partner workloads and demands have become increasingly difficult causing burn-out. Over 80% of the NHFI annual budget (\$585.0) is committed to partners leaving minimal funds to support approximately 45 northern communities not presently assigned to an NHFI partner or any new activities.
- The NHFI budget was increased in 2014 by \$662.0 to provide funding for Social Enterprise (SE) development. SE is a new concept to most northern communities. Meaningful and sustainable SE results are impacted by local capacity and understanding of SE development.
- New Non-profit business can not universally address the food security issues in northern Manitoba. The 114% funding increase has also stressed present workloads of the two existing department staff maintaining the NHFI program.
- The additional SE funds received by NHFI may also be required to support additional costs in the Affordable Food in Remote Manitoba (AFFIRM) program administered through Health, Healthy Living and Seniors. Not knowing when or how much of the SE funds may or may not be required impacts planning of these funds.

CRITICAL BACKGROUND:

- Regular NHFI Programming: Funding, demanding departmental workloads, ability to satisfy TB directives for an evaluation, assessment of program outcomes, sustainability and competing visions are contributing factors to the successful delivery of the program.
- NHFI believes that starting SE non-profit businesses will not universally address food security, however it is an opportunity for organizations to shift the dynamics of traditional business to a focus that includes community values, ownership and social impact. Support must be community driven and provided at the pace set by the community.
- Assessing the NHFI impact on health outcomes is extremely difficult to measure within the existing delivery framework. The ongoing sustainability of community programming is difficult to achieve with the limited resources available.
- The department and NHFI are not always at the table when funding decisions impacting program delivery and communities are made.

Contact: Paul Doolan (204) 945-2161

Date: April 15, 2016

MANITOBA ABORIGINAL & NORTHERN AFFAIRS

SUBJECT: O-PIPON-NA-PIWIN CREE NATION-RESERVE CREATION STATUS UPDATE

ISSUE:

- 20(1)(a)(c); 21(1)(a)(c); 23(1)(a); 28(1)(c.iii)
- 19(1)(a); 20(1)(a)(c); 21(1)(a)(c)
- 20(1)(a)(c); 21(1)(a)(c); 23(1)(c)
- 19(1)(c); 20(1)(a); 21(1)(a); 23(1)(a)(c)
- 20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c)(f); 28(1)(c.iii)
- O-Pipon-Na-Piwin Cree Nation (OPCN), Canada and Manitoba are currently in the process of transferring approximately 8500 acres of Manitoba crown lands to reserve status as outlined in the Land Transfer Agreement.

CRITICAL BACKGROUND:

- On November 25, 2005 O-Pipon-Na-Piwin Cree Nation (OPCN) was constituted as the 63rd First Nation in Manitoba. Agreements between OPCN, Canada, and Manitoba outlining the methods for transfer of land, and delivery of services in South Indian Lake, were signed on December 22, 2005. As a result, OPCN is now delivering most government services for residents in South Indian Lake, while the land transfer and reserve creation process proceeds.
- Canada, the Province and OPCN have agreed that the community infrastructure require upgrading prior to transfer. The Capital Upgrading Funding Management Agreement (CUFMA) and the Land Transfer Agreement speak to the specific requirements for all upgrading activities and describes the processes to address any infrastructure deficits or land encumbrances prior to transfer.
- The Umbrella Agreement speaks to the steps required to constitute OPCN as a new Band under the Indian Act. Section 10.01 advises that if by April 1, 2010 the lands as described in sec. 9.01 are not set apart as reserve or the on-reserve population is less than 400 persons that all parties may explore and discuss the possibility of seeking an extension of special authority from the Treasury Board of Canada.

- In fiscal year 2014/2015 payment of \$900.0 represented the final payment to OPCN under the CUFMA Agreement for total funding of \$24 million. The department has a continued annual funding obligation of \$105.0 to OPCN under the MDSA agreement to fund municipal services to those residents who have self identified as not wanting to transfer their land to reserve status. Insurance costs for MB infrastructure are also funded by this agreement until Canada assumes care and control.
- 20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c)(f); 28(1)(c.iii)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
- 20(1)(c); 21(1)(c); 23(a)
[Redacted]
[Redacted]
[Redacted] Currently ANA has already committed to provide funding (up-to \$100,000 annually for a three year period April 1, 2012 – March 31, 2016) for a Community Coordinator to assist in the implementation of the Agreements in respect to the Constitution of the O-Pipon-Na-Piwin Cree Nation as the 63rd First Nation in Manitoba.
- 17(2)(c)(e)(h); 20(1)(a)(c); 21(1)(a)(c); 23(1)(a)(c)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
- 20(1)(a)(c); 21(1)(a)(c)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
- 19(1)(a); 23(1)(c)
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Contact: Armand Barbeau (204) 677-6737
Date: April 15, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Aboriginal Affairs Working Group

ISSUE:

- Manitoba participates in national discussions with PTs and NAOs on Aboriginal policy and program issues of common interest across Canada. Depending on the issue, this can include discussions with the Federal government.

CRITICAL BACKGROUND:

- Prior to the summer 2009 Council of the Federation (COF) meeting, PT Premiers held a meeting with National Aboriginal Organization (NAO) leaders and announced that a working group, made up of NAO leaders and Aboriginal Affairs Ministers, would be established.
- The Aboriginal Affairs Working Group (AAWG) examines how governments and NAOs can work more effectively to improve outcomes for First Nation, Inuit and Métis peoples in the areas of Education, Economic Development and Ending Violence against Aboriginal Women and Girls. In 2012, Premiers and NAO Leaders directed the AAWG to undertake two additional priorities: *Aboriginal Housing and a National Disaster Mitigation Strategy on Reserve*.
- The Minister of Aboriginal and Northern Affairs attended the 2015 AAWG meeting in Yellowknife, NT.
- The 2015 AAWG Report and Recommendations was endorsed by Premiers and NAO Leaders in attendance at the Premiers and NAO Leaders meeting on July 15th, 2015, in Happy Valley - Goose Bay, Newfoundland and Labrador.
- NT hosted an official's call on Sept. 21, 2015, to begin discussions on AAWG priority area work for the coming year; as reflected in the Canada Premier's (CP) mandate letter (August 4, 2015). The CP mandate letter emphasizes priority direction to have a Socio-Economic Action Plan for Aboriginal Women completed by the next AAWG meeting in 2016.
- The next AAWG meeting is proposed to take place in Yellowknife, NT in May or June 2016. This will complete NT's two-year role as Chair.
- NT has added *Truth and Reconciliation (TRC)* to the 2016 AAWG May agenda meeting. A number of PT's are working on implementing TRC – Calls to Actions recommendations.

- On April 11 2016, officials from Indigenous and Northern Affairs Canada (INAC) participated on an AAWG officials' call. INAC staff informed PTs and NAOs that they are working with Minister Carolyn Bennett's office to coordinate federal participation at the 2016 AAWG meeting.
- A good deal of discussion took place on the prospect of revising the AAWG Terms of Reference (TOR) for ongoing federal participation. Alternatively, a new FPTA process could be developed to replace the AAWG altogether. NT will coordinate a PTA TOR working group to look at options/recommendations.
- NT and AAWG officials have been working to confirm earlier indicated dates for the 2016 AAWG meeting in Yellowknife, NT. However, due to scheduling conflicts for Canada, other possible options are being considered including:
 - a teleconference in May for AAWG Ministers and NAO Leaders to review and conclude on the 2016 AAWG Progress Report and Recommendations; and,
 - a June meeting for Ministers and Leaders to meet face to face; also likely to include Canada.

Contact: Scott DeJaegher, 204-795-9640

Date: April 18, 2016

BRIEFING MATERIALS

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: **Aboriginal Affairs Working Group – Disaster Mitigation and
Emergency Management Services Working Group**

ISSUE:

- Manitoba leads the Disaster Mitigation and Emergency Management Services (DMEMS) Working Group with participation from ON, SK, AFN and ITK. Due to a number of challenges (i.e., a smaller working group, competing AAWG priorities) the DMEMS work has not progressed to the extent that it had hoped.
- The DMEMS may need to be reevaluated as an AAWG priority area to align with the new federal government administration, possible federal participation in the AAWG and other competing and emerging AAWG priorities.

CRITICAL BACKGROUND:

- Influencing disaster mitigation and emergency management services in Aboriginal communities requires a multijurisdictional approach. The DMEMS explores options to support strong and safe Aboriginal communities and effective emergency management services to protect lives, livelihood and property.
- The DMEMS aims to work with respective emergency management organizations to help strengthen engagement and participation of First Nations, Inuit and Métis communities. This includes efforts to establish working relationships with other multijurisdictional tables such as the Senior Officials Responsible for Emergency Management (SOREM). Challenges to establishing this relationship with SOREM are likely due to factors outside the influence of the DMEMS.
- The DMEMS is completing an environmental scan of emergency measures practices across Canada and other related inter-jurisdictional emergency management committees (e.g., the Domestic Group on Emergency Management). This will build a knowledge base on emergency management and disaster mitigation measures in place to identify trends and gaps across the country as they relate to Aboriginal communities and share information with the AAWG on possible next steps for discussion (where appropriate).
- The DMEMS recommendations at the May 2016 meeting of Ministers and NAO Leaders will include:

- Continue identification of priorities and strategies to address disaster mitigation and emergency management services in Aboriginal communities, including cross jurisdictional analysis of emergency management programs and initiatives.
- Continue to seek opportunities to coordinate and collaborate with the Canadian Council of Emergency Management Organizations and Senior Officials Responsible for Emergency Management in order to avoid duplication of mandates and work plans.
- Continued analysis of the impacts of past federal budget commitments and recent changes to the National Disaster Mitigation Program and Disaster Financial Assistance Arrangements funding formula with respect to provinces, territories and Aboriginal groups/communities.
- Build a knowledge base on emergency management and disaster mitigation measures in place to identify trends and gaps across the country as they relate to Aboriginal communities and share information with the AAWG on possible next steps for discussion (where appropriate). Next steps could include exploring interest in a learning event on Aboriginal disaster mitigation and emergency management services based on the identified trends and gaps.

Contact: Kim McPherson, 204-803-1853

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: **Aboriginal Affairs Working Group - Socio-Economic Action Plan for Aboriginal Women**

ISSUE:

- The Aboriginal Affairs Working Group (AAWG) is composed of provincial and territorial Ministers responsible for Aboriginal/Indigenous Affairs and leaders of the five National Aboriginal Organizations (NAOs).
- One of the priorities of AAWG is the development of the Socio-Economic Action Plan for Aboriginal Women (Action Plan).

CRITICAL BACKGROUND:

- On August 27, 2014, Canada's Premiers and NAO Leaders discussed the development of the Action Plan in Charlottetown, Prince Edward Island. Pursuant to their meeting, Canada's Premiers sent a letter to the Chair of the AAWG, dated September 2, 2014, with the following direction:

"NAO Leaders and Premiers are initiating the development of a Socio-Economic Action Plan for Aboriginal Women. The AAWG will be mandated to drive the development of the Action Plan and will be led by the Steering Committee of the National Aboriginal Women's Summit. The Action Plan should be presented to the AAWG in the spring of 2015 and reported to Premiers and NAO Leaders at their meeting in July 2015."

- In May 2015, Ministers and Aboriginal leaders received the Socio-Economic Action Plan Foundational Document as the basis for the on-going development of the plan. They directed the AAWG working group to collaborate with provinces and territories and NAOs on the ongoing development of the plan.
- At the Council of the Federation meeting in July 2015, Premier Notley made a commitment for Alberta to lead continued work on the plan.
- The objectives of the Action Plan are to:
 1. Present a comprehensive account of the challenges and barriers that adversely impact socio-economic outcomes for Aboriginal women.
 2. Share existing approaches and best practices that improve socio-economic outcomes for Aboriginal women.

3. Identify actions and collaborative means by which provinces, territories and NAOs may move forward to improve the socio-economic outcomes of Aboriginal women.
- The priority areas and actions were informed by participants of the 2014 National Aboriginal Women's Summit IV, which had representation from across Canada.
 - The AAWG working group took measures to ensure that the document was an action plan and not a menu of options. The intent is to share information and report on actions.
 - It includes a reporting section from each province and territory on actions, timelines, results and a commitment to revisit outcomes in five years to determine if the actions are improving socio-economic outcomes for Aboriginal women.
 - It is not expected or required for each jurisdiction to report under every action.
 - The next steps in this process are:
 1. AAWG Ministers will review and approve the Action Plan in May or June, 2016.
 2. Premiers will review and approve the Action Plan in July, 2016.
 3. Jurisdictions will populate activity templates for AAWG Ministers on an annual basis starting in 2017.

Contact: Shirley Fontaine, 204-391-3396

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Aboriginal Council of Winnipeg (ACW)

ISSUE:

- The Aboriginal Council of Winnipeg (ACW) is a community based, membership driven, Aboriginal organization which serves as a voice that represents the interests of the Aboriginal community of Winnipeg.
- In 2014, Canada implemented changes to funding for Aboriginal Representative Organizations (ARO). This included changes related to tripartite funding arrangements. In 2014/15, Canada confirmed with the Aboriginal Council of Winnipeg (ACW) and Manitoba (MB) that matched federal funding for the ACW Tripartite Negotiations (TPN) would no longer be available.
- At the end of 2014/15, ACW acquired \$152,000 in project funding from Canada to undertake 4 community planning projects for the Urban Aboriginal Strategy.
- In 2015/16, Manitoba continued working with and supporting ACW with funding of \$100,000.
- ACW has recently met with new INAC Minister, Carolyn Bennett, and informs that positive discussions have taken place. At this time, ANA has been informed that the federal government will likely reinstate funding to the tripartite process.
- ACW is working with the City of Winnipeg (WPG) on common areas of interest that impact the urban Aboriginal community. ACW informs that this work may lead to a formal agreement with the City of Winnipeg in 2016.

CRITICAL BACKGROUND:

- The ACW was established in 1990 with a mandate to address priority issues raised by the urban Aboriginal community in Winnipeg. In 1997, Canada, Manitoba, and ACW began using Memorandum of Understanding Tripartite Negotiations (MOU/TPN) agreements to implement urban Aboriginal community priorities in the areas of Employment, Education/Training, Social Economic Development, Youth, Justice, and Aboriginal Women.
- The ACW MOU/TPN arrangements are instrumental in the development of urban Aboriginal initiatives. Some examples include the Aboriginal Centre of Winnipeg, Moon Voices (Indigenous Women's Organization) and the Social Enterprise (SE) Mother Earth Recycling (MER) which also provides employment and training for

Aboriginal community members who experience barriers to entering and staying in the labour market.

- In 2011, ACW initiated MER under the council's annual workplan Economic Development priority area. MER is as an Electronics Collection Depot recognized by the *Electronic Products Recycling Association* (EPRA); the EPRA administers the *End-of-Life Electrical and Electronics Equipment* stewardship program in MB.
- Since 2011, ANA has provided support for three MER business expansions. Each MER business expansion has created new additional employment positions for Indigenous community members.
- In 2014/15, ANA provided \$25,000 to MER to undertake feasibility work on a Mattress Recycling initiative and relocation to a new building/facility. On April 22, 2015, Manitoba Conservation announced \$275,000 in support to MER's Mattress Recycling Plan Project to divert mattresses from landfills, and reduce greenhouse gases; and create jobs with the province's first mattress recycling project.
- In 2014, ACW worked with key leaders of urban based Aboriginal organizations to establish the Winnipeg Indigenous Executive Circle (WIEC).

Contact: Darren Ramsay, 204-793-8394

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Aboriginal Development Programs

ISSUE:

- The Aboriginal Development Program (ADP) provides core operating grants to eight Aboriginal organizations and tripartite funding to two Aboriginal organizations to address issues and develop initiatives on identified priority needs. It also enables the administration of a small grants fund, the ADP Fund, in support of community based, capacity building projects.
- Due to federal cuts to core and project funding to the Aboriginal organizations, Aboriginal and Northern Affairs (ANA) has seen increased core and tripartite funding requests from these organizations. The Aboriginal Affairs Secretariat has communicated to the organizations that increases are not possible at this time.
- In 2015/16 the department dispersed the total allocation of the ADP small grants fund of \$94,900. The fund approved and recommended 33 projects under the small grants ADP Fund. The 33 approved projects leveraged \$546,524 from outside provincial sources.

CRITICAL BACKGROUND:

- In 2015/16 Treasury Board authorized \$2,781,800 for the ANA to continue the Aboriginal Development Program. It is anticipated the same amount will be approved for the 2016/17 fiscal year.
- Core operating grants are disbursed on a quarterly basis and are based on the following prerequisites:
 - Provision of a corporate budget identifying all funding sources and anticipated expenditures for the current year and a business plan which includes attributable, measurable and directly targeted outcomes; and,
 - Provision of the consolidated audited financial report for the previous year and an outcome report for the previous year.

- The following chart summarizes program activity for 2015/16:

ORGANIZATION	ALLOCATION	DISBURSED TO DATE IN 2015/16*
CORE OPERATING FUNDING:		
Manitoba Keewatinook Ininew Okimowin (MKO)	\$100,000	\$100,000
Southern Chiefs Organization	\$70,000	\$70,000
Manitoba Moon Voices Inc.	\$95,000	\$95,000
MB Association of Friendship Centres	\$1,200,000	\$1,200,000
Assembly of Manitoba Chiefs	\$325,000	\$325,000
Manitoba Métis Federation	\$268,400**	\$201,300
MB Aboriginal Sport & Recreation Council	\$165,000	\$165,000
Aboriginal Languages of Manitoba	\$73,500	\$73,500
TRIPARTITE FUNDING:		
Manitoba Métis Federation	\$290,000**	\$217,500
Aboriginal Council of Winnipeg	\$100,000	\$100,000
ABORIGINAL DEVELOPMENT PROGRAM FUND	\$94,900	\$94,900

* Core operating and tripartite funding is disbursed on a quarterly basis.

**MMF (core and tripartite) 4th quarter payment for 2015/16 has not been disbursed due to outstanding reporting.

- As a pre-requisite to drafting the annual funding agreements between ANA and the Aboriginal organizations, their annual corporate budget and work plan needs to be submitted to ANA.
- To date, the Southern Chiefs Organization and Aboriginal Languages of Manitoba have provided all necessary information and have signed off on a 2016/17 funding agreement with ANA.
- The Manitoba Association of Friendship Centres (MAC) core funding agreement has been captured under the Reducing the Red Tape Initiative and a multi-year (2016/17 to 2018/19) core funding agreement has been signed off between MAC and ANA.
- To date 1st quarter payment for 2016/17 has been provided to SCO, ALM and MAC.

Contact: Cheryl Smith, 204-945-2509

Date: April 18, 2016

BRIEFING MATERIALS

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Aboriginal Economic Resource Development Fund

ISSUE:

- The Aboriginal Economic Resource Development Fund (AERD) is designed to grant non-renewable funding to promote economic development among Aboriginal communities by financially supporting new and innovative approaches which increase employment and improve the well-being of Aboriginal Manitobans.
- In addition, AERD allows ANA to influence responses to priority Aboriginal issues, by leveraging commitments from other sources.
- In 2015/16, through Treasury Board and Ministerial approvals, \$899,901 was committed under the AERD Fund. 45 projects were funded with a total budget valued at over \$8.1 million dollars.
- Since its inception, \$17,759,010 has been disbursed through AERD to 773 projects which leveraged \$137,856,723 from sources external to government.
- The AERD Fund is also committed to providing ongoing funding for projects identified under the Reducing the Red Tape Initiative. Multi-year agreements (2016/17 to 2018/19) were signed off between each of the proponents and Manitoba. They are as follows:
 - Vision Quest \$25,000 per year
 - Ka Ni Kanichihk \$15,000 per year
 - Fort Whyte Alive \$25,000 per year
 - Winnipeg International Children's Festival \$25,000 per year
 - Frontier College \$15,000 per year

CRITICAL BACKGROUND:

- The annual allocation for AERD has historically been in the range of \$1.4 million, however allocations have decreased in the last couple of years due to expenditure management reductions.
- The Fund permits Aboriginal and Northern Affairs (ANA), in collaboration with other departments, to support projects identified as having the potential to improve Aboriginal well-being in response to community identified priorities. Priority is given to projects that target improved employment outcomes for Aboriginal people and/or further the goals of the Northern Development Strategy.

- Funding projects directed at status Aboriginal people located on reserve is allowed only if the projects do not fall within the mandate or responsibility of the federal government.

AERD Expenditures and Leveraged Funds 2000 - 2016

YEAR	# PROJECTS APPROVED	TOTAL AERD GRANT VALUE	TOTAL BUDGET VALUE OF PROJECTS	TOTAL PROVINCIAL GOVERNMENT COMMITMENT	\$\$ LEVERAGED FROM OUTSIDE PROV GOVT
2000-01	18	\$ 930,029	\$13,530,408	\$3,593,029	\$9,937,379
2001-02	26	\$ 799,920	\$14,567,687	\$3,884,300	\$10,683,387
2002-03	58	\$1,224,993	\$13,560,993	\$2,992,922	\$10,568,071
2003-04	61	\$1,236,262	\$12,068,638	\$2,601,192	\$9,468,200
2004-05	64	\$1,374,982	\$10,212,710	\$3,033,969	\$7,135,328
2005-06	59	\$1,385,818	\$10,424,398	\$2,670,196	\$7,736,041
2006-07	62	\$1,397,668	\$ 7,756,626	\$2,867,685	\$4,749,930
2007-08	56	\$1,338,641	\$ 6,787,682	\$1,956,591	\$4,556,406
2008-09	52	\$1,315,985	\$15,106,823	\$3,248,515	\$11,983,214
2009-10	41	\$1,061,203	\$12,708,311	\$2,624,920	\$10,125,427
2010-11	51	\$1,268,959	\$10,983,142	\$2,198,531	\$11,050,369
2011-12	47	\$1,150,704	\$ 8,337,387	\$3,601,202	\$4,711,185
2012-13	47	\$1,009,914	\$14,632,890	\$1,991,137	\$12,926,433
2013-14	42	\$ 866,172	\$10,975,227	\$1,640,705	\$ 9,333,522
2014-15	44	\$ 497,858	\$ 8,251,948	\$1,526,588	\$ 6,665,996
2015-16	45	\$ 899,901	\$ 8,114,710	\$ 1,656,405	\$ 6,225,835
TOTALS	773	\$17,759,010	\$178,019,580	\$43,728,592	\$137,856,723

Contact: Cheryl Smith, 204-945-2509

Date: April 18, 2016

BRIEFING MATERIALS

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Broadband Access in Manitoba

ISSUE:

- In the 2016 Speech from the Throne, the Government of Manitoba stated that it will partner with local communities to expand cellular service and broadband access across Manitoba to better connect families and entrepreneurs.
- Broadband is an essential tool and utility that rural and remote communities need in order to be able to develop resilient economies, deliver services to their residents and to engage with the world.
- There are enormous potential benefits from increasing access to broadband in under-served regions of Manitoba. High on the list of potential benefits are:
 - attracting and retaining populations in rural and remote communities;
 - enabling economic development through increased access to online markets and business opportunities;
 - increasing the productivity of local businesses, service providers and government through the adoption of digital tools such as video-conferencing/tele-working and productivity apps;
 - providing access to online primary and post-secondary educational opportunities that would not otherwise be available to rural and remote communities;
 - increasing health system benefits through remote-health-services, which would not otherwise be available to rural and remote communities; and,
 - improved public safety measures through better connectivity.
- Additionally, other provincial departments have reported that many industries (e.g., tourism, mining) are now considering broadband access as an essential service, necessary to maintain and grow their operations.
- In Budget 2016, the federal government committed to increasing high-speed broadband coverage by investing up to \$500 million over five years in a new program to extend and enhance broadband service in rural and remote communities.

CRITICAL BACKGROUND:

- Competitive and affordable access is the foundation for realizing the potential that broadband can bring. In many parts of rural and remote Manitoba and Canada, the large geographic distances, low population density and sometimes lower incomes,

makes it difficult to attract a single Internet Service Provider (ISP), let alone the multiple ISPs needed to create a competitive environment.

- There are a variety of broadband-related initiatives underway that are aimed at underserved regions of Manitoba. These include:
 - The *Building Manitoba First Nations Network of the Future* (MFNNF) initiative is a project led by the First Nations Health and Social Secretariat of Manitoba (i.e., the Assembly of Manitoba Chiefs). This initiative aims to bring connectivity and high capacity bandwidth into every Manitoba First Nation community and could be expanded to other regional and adjacent communities. Current estimates to connect all Manitoba First Nations peg costs at approximately \$140 million.
 - A research initiative being led by the Rural Development Institute (RDI) is helping to create a better understanding of the state of rural broadband in Manitoba and to develop recommendations to improve rural connectivity. This work is intended to lead to more effective participation in the digital economy and realization of digital opportunities. The RDI has expressed interest in expanding their research to consider areas of the province outside of its research study, notably in large areas of central and northern Manitoba.
 - Rural school divisions, such as Park West School Division, are working to link all of their schools to the internet using fibre optic technology.
 - Research within Manitoba Agriculture, Food and Rural Development is looking at broadband and cellular communications networks across Manitoba as it relates to emergency measures.
- Traditionally, broadband has been defined as a connection that is equal to or greater than 1.5 Mbps download speeds. However, these speeds are no longer adequate to handle the volumes of data that are being accessed and shared on the internet. Manitoba, along with the rest of the country, are being encouraged to adopt the Federal Communications Commission's (FCC) definition of broadband which is 25 Mbps download speeds and 3 Mbps upload speeds. The FCC considers these to be the minimum benchmark for internet access in rural and urban areas.

CONTACT: **Jeff Legault, 204-918-6593**

DATE: **April 18, 2016**

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Climate Change

ISSUE:

Climate change and actions to understand, mitigate and adapt to risks will result in both opportunities and risks for Indigenous and northern communities and the department:

- **Transportation:** winter road seasons will be shorter and disruptions to northern rail lines will increase. Opportunities may emerge for Churchill resulting from a longer shipping season with the opening of the Northwest Passage
- **Infrastructure and property:** extreme weather events (primarily flooding and wildfires) will strain infrastructure and damage properties
- **Traditional hunting, trapping and harvesting:** changing seasonal patterns, warmer winters and more variable ice conditions have impacted conditions, both positively and negatively
- **Carbon storage:** Manitoba's forests and wetlands store a significant amount of carbon and help to mitigate climate change impacts. The government is protecting both. This could impact both Treaty Land Entitlement land selections and land and resource management planning of Resource Management Boards and
- **Green economy initiatives:** support innovation and skills that foster a transition to local energy sources, locally-produced food and promote tourism. Examples include Aki Energy and Mother Earth Recycling.

Minimizing risk and adapting to climate change are of central importance to the department. Identified priorities include:

- Ensuring that government-wide efforts to fill data gaps are based on science *and traditional knowledge*
- Building climate change adaptation planning into existing legislation, policies, planning and budgeting processes with particular attention paid to northern community infrastructure and Treaty Land Entitlement, and
- Facilitating the development of a green economy.

Delaying action will make adaptation more difficult to address and more costly in the future.

CRITICAL BACKGROUND:

- Conservation and Water Stewardship (CWS) is leading the government's action on climate change and manages a \$5 million (over 5 years) Climate Change Action Fund. Key priorities for the department include:
 - Understanding risks and planning for adaptation, especially preparing communities for risks and building resilient infrastructure.
 - Increasing engagement and awareness.
 - Local food production.
 - Expanding social enterprise opportunities.
 - First Nation commercial building energy audits.
 - Supporting Manitoba's 4 off-grid, diesel reliant communities to adopt renewable energy sources.
 - Exploring the expansion of the *Energy and Jobs Fund* to reduce reliance on fossil fuels and develop renewable energy sources.
 - Enhancing training opportunities that foster a transition to local energy sources and eco-tourism.
 - Developing northern partnerships and collaborations.
- In the 2016 federal budget, a new \$2 billion Low Carbon Economy Fund was announced, starting in 2017/18 to support provincial and territorial actions that materially reduce greenhouse gas emissions. Projects will be funded based on greatest emissions reductions for the lowest cost per tonne. This fund is part of \$3.4 billion over five years to address climate change, air pollution and other environmental protection projects, including:
 - \$109.1 million over five years for Environment and Climate Change Canada to advance domestic climate change objectives, including data reporting, science, and policy;
 - \$1 billion over four years starting to support clean technology adoption in the forestry, fishing, mining, energy and agriculture sectors;
 - \$130 million over five years to support clean technology research, development and demonstration activities;
 - \$20 million over eight years starting in 2018/19 to create two research chairs related to clean and sustainable technology; and
 - \$50 million over two years for cleaner oil and gas industry technologies.

Contact: **Alison Rogan, 204-918-4187**

Date: **April 18, 2016**

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Closing the Gap

ISSUE:

- There is a large and enduring gap in every measure of well-being between Indigenous and non-Indigenous peoples. “Closing the Gap” is one of Manitoba’s most important challenges.
- Gaps in well-being are in large measure a product of colonization and the intergenerational impact of residential schools. Closing the Gap is a major part of the action the province can take moving forward on reconciliation.
- Reconciliation means the ongoing process of establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous peoples in order to build trust, address healing and create a more equitable and inclusive society.
- A reconciliation approach to Closing the Gap would address the legacy of colonization by action that:
 - builds on understanding Indigenous peoples’ knowledge, values and ways of life;
 - aligns systems and activities across government so they are more responsive and ensuring adequate financial resources are made available;
 - manages expectations and a broad range of perspectives; and,
 - enhances opportunities for indigenous peoples to achieve similar outcomes to other Manitobans.
- Measuring progress is critical. Broad indicators in outcomes will need to be reviewed and confirmed with Indigenous peoples. In addition, more specific measures and targets will need to be developed. Appropriate investments will be required to ensure that reliable data are available to support these efforts.
- Closing the Gap is a shared responsibility requiring intense and collaborative efforts with Indigenous peoples, all levels of government, the private sector, non-government organisations and the wider community.

CRITICAL BACKGROUND:

There are well known, long-standing and persistent socio-economic gaps observable between Indigenous and non-Indigenous peoples in Manitoba on a wide variety of key indicators such as income, education, employment, health and housing outcomes.

In 2006, government made a commitment to reduce the gap in socio-economic outcomes between Indigenous and non-Indigenous peoples in five major policy areas:

- **Health and well-being:** The health outcomes of Indigenous peoples are comparable to those of non-Indigenous peoples.
- **Education objective:** The education levels of Indigenous peoples are comparable to non-Indigenous peoples.
- **Housing and infrastructure:** Indigenous peoples have adequate, affordable and accessible housing.
- **Economic opportunities:** Indigenous peoples are employed/self-employed and earn incomes comparable to those of non-Indigenous people.
- **Relationships:** Relationships with Indigenous and Northern Manitobans are positive, productive and respectful.

Measuring progress has been challenging. In 2011, Statistics Canada replaced the mandatory Census with a voluntary National Household Survey (NHS). At the national level, the NHS had a response rate of 69%, down from 94% in the 2006 Census. Response rates are lower for Indigenous peoples and Canadians in low-income groups. While Statistics Canada has attempted to correct for lower response rates, there are significant concerns about the comparative reliability of 2011 NHS data compared to 2006 Census data the overall quality of data from the 2011 NHS for planning, monitoring and evaluation purposes.

A renewed federal investment in Statistics Canada will address data issues in the long term, but in the short term, additional investments will be needed for to ensure transparency and accountability.

Contact: Alison Rogan, 204-918-4187

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: **Aboriginal Affairs Working Group - Ending Violence Against Aboriginal Women and Girls**

ISSUE:

- Provinces and Territories have reviewed best practices related to ending violence against Aboriginal Women and Girls and have endorsed a "Framework for Coordinated Action to End Violence Against Aboriginal Women and Girls".
- An update on each jurisdiction's actions under the Framework will be provided at the May/June 2016 Aboriginal Affairs Working Group (AAWG) meeting.

CRITICAL BACKGROUND:

- In 2009, Premiers and Leaders endorsed 3 priorities for the AAWG including:
 - ending violence against Aboriginal women and girls;
 - closing the graduation gap; and,
 - closing the income gap.
- The Ending Violence Against Aboriginal Women and Girls Working Group (The Working Group) was established in 2010 and is currently co-chaired by officials from British Columbia, Nova Scotia, the Assembly of First Nations (AFN) and the Native Women's Association of Canada (NWAC).
- The focus of the Working Group includes ending all forms of violence that affect the holistic health and well-being of Indigenous women and girls including domestic and relationship abuse; emotional and psychological abuse; sexual abuse and assault; cyber violence and bullying; and human trafficking.
- In 2013, the AAWG directed the Working Group to draft a proposal for the development of a framework for action for ending violence against Aboriginal women and girls.
- The Framework includes options under 5 broad priority areas:
 - Structural and systemic change.
 - Community-engaged and community-led responses.
 - Public-education, awareness and prevention.
 - Coordinated response to emerging issues.
 - Research, data collection and knowledge exchange.

- The Working Group has developed a Framework for Coordinating Action to End Violence Against Aboriginal Women and Girls with consideration of findings and recommendations from the following reports:
 - Inter-American Commission on Human Rights – support for a national action plan or inquiry; effective measures to fight poverty, improve education and employment, guarantee adequate housing, and other socio-economic measures.
 - Committee on the Elimination of Discrimination Against Women – recommendations made on combating violence, improving socio-economic conditions of Aboriginal women, eliminating discrimination, and supporting a national public inquiry and plan of action.
 - UN Special Rapporteur on the Rights of Indigenous Peoples – recommended that the federal government should undertake a comprehensive, nation-wide inquiry into the issue of missing and murdered Aboriginal woman and girls, organized in consultation with Indigenous peoples
- Manitoba has established its own Working Group to provide input into the national reporting template for the Framework for Coordinating Action to End Violence Against Aboriginal Women and Girls. The Working Group includes representation from: Aboriginal and Northern Affairs; Justice; Children and Youth Opportunities; Family Services; Healthy, Healthy Living and Seniors; Education and Advanced Learning - Aboriginal Education Directorate; and Tourism, Culture, Heritage, Sport and Recreation.
- Manitoba's Working Group will also involve representatives from local and regional Aboriginal organizations in the ongoing development of a gaps analysis and input into both the national and regional socio-economic action plan for Aboriginal women and girls.

Contact: Shirley Fontaine, 204- 391-3396

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: First Peoples Economic Growth Fund

ISSUE:

- The First Peoples Economic Growth Fund (FPEGF) is an organization with the mandate to provide financing to support Manitoba First Nation business proposals that are economically viable.
- FPEGF, as per the multi-year funding agreement, has provided Manitoba with its 2016/17 action and expenditure plan. The first payment for 2016/17 of \$1,350,000 has been disbursed.
- In February 2013, FPEGF received approval from Indian Affairs Canada that it will be delivering their Aboriginal Business Development Program. FPEGF continues to deliver the Aboriginal Business Development Program (now called Business Contribution Fund). Total funding for the 2015/16 program was \$2,013,154.
- FPEGF reported that the total dollar impact on Manitoba's economy through the delivery and management of FPEGF's loan and support programs is estimated at \$92,263,557 since its inception.

CRITICAL BACKGROUND:

- On November 2, 2006 Manitoba and the Assembly of Manitoba Chiefs (AMC) signed a Memorandum of Understanding for First Nations Gaming Economic Development Fund to signify the mutual commitment of Manitoba and AMC for the establishment of an Economic Development Fund.
- On October 3, 2007, the First People's Economic Growth Fund Inc. (FPEGF) was incorporated as a corporation without share capital under The Corporations Act (Manitoba).
- The initial 5-year First Peoples Economic Growth Fund (FPEGF) Funding Agreement expired in 2011/12; however the Funding Agreement was amended in 2010/11 to pay out the remaining two fiscal years (2010/11 and 2011/12) over three years (2010/11 to 2012/13). Under this first multi-year agreement Manitoba contributed \$22,913,220 in total to the Fund.
- A T.B. Minute 24B/2011 – ITEM 19 dated May 31, 2011 authorized the Department to commit to a new five-year funding agreement with FPEGF which included a guaranteed minimum provincial contribution totaling \$25.0 million.

- As of 2014/15 a new multi-year agreement has been negotiated and signed off between AMC and Manitoba to address the new \$25 million commitment to FPEGF. This commitment will be made through installment payments that started in 2014/15 through to 2021/22.
- The current five board members, jointly appointed by AMC and the Government of Manitoba are:
 - Chairperson: Pat Turner – First Nations entrepreneur and co-founder of the Aboriginal Chamber of Commerce;
 - Vice-Chair: Bob Silver – President, Western glove Works;
 - Secretary/Treasurer: Bob Brennan – former President and Chief Executive Officer, Manitoba Hydro;
 - Member: Joe Malcolm – former Tribal Director of Southeast Resource Development Council;
 - Member: Rosa Walker – President and Chief Executive Officer, Indigenous Leadership Development Institute Inc.
- The Fund has reported the following program delivery since its inception:

September 23, 2008 to February 5, 2016	FPEGF Dollars Approved (A)	FPEGF's BCF Dollars Approved (B)	Dollars Leveraged (C)	Total Dollar Impact on Manitoba Economy (A + B + C)
149 Loans Approved	\$24,734,330	\$5,156,335	\$60,711,248	\$90,601,913
160 Support Applications Approved	808,913	\$383,162	\$469,569	\$1,661,644
309 Applications Approved	\$25,543,243	\$5,539,497	\$61,180,817	\$92,263,557

Contact: Cheryl Smith, 204-945-2509

Date: April 18, 2016

Briefing Materials

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Indigenous and Northern Affairs Canada (INAC) – Manitoba Aboriginal and Northern Affairs (ANA) Memorandum of Understanding (MOU) on Aboriginal Economic Development

ISSUE:

- Manitoba Aboriginal and Northern Affairs (ANA) and Indigenous and Northern Affairs Canada (INAC) have developed a 5-year Memorandum of Understanding (MOU) on Aboriginal Economic Development with an associated 3 year work plan. The work plan was ratified in June 2015.
- The MOU is designed to coordinate investments, promote innovation and improve communication between the provincial and federal governments.
- Work plan discussions for 2016/17 are underway and are likely to include:
 - a project management framework for the agreement, intended to create a more effective and efficient process;
 - continued Land Use Planning Support;
 - a gathering of resource management board and Land Use Planning officials;
 - continued mining capacity development with First Nation communities;
 - Certificate of Recognition (COR) training for First Nations companies;
 - the development of an evaluation framework for the MOU; and,
 - information support to assist provincial departments in working more effectively with First Nations in relation to co-management and third party management.

CRITICAL BACKGROUND:

- In December 2014, ANA received Cabinet approval to enter into the MOU with INAC and implement the associated three-year work plan.
- The purpose of the MOU is to:
 - formalize the commitment of the parties to work together to ensure that investments in economic development occur in a comprehensive and coordinated fashion that optimizes the value of both federal and provincial investments and leads to more positive outcomes in supporting Aboriginal economic development;
 - strengthen and clarify mechanisms for communication between federal and provincial partners, and identify key points of contact;

- establish a collaborative and coordinated partnership to promote and foster economic development among Aboriginal individuals and Manitoba communities; and,
 - provide a forum for the Parties to take an innovative approach in Aboriginal economic development, including elements such as integrated, cross-departmental and cross-governmental agreements.
- In 2015/16, the MOU facilitated the following investments:

Initiative	Canada (\$)	Manitoba (\$)	Total (\$)
COR training for Cree and First Nations companies working on the Manitoba East Side Road Project. The participating corporations are also contributing approximately \$10,226.	100,838	57,000	157,838
Tataskwayak Cree Nation - To support the Split Lake Resource Management Board Land Use Planning efforts.	11,211	--	11,211
First Nations Mining Economic Development Inc. to deliver mining capacity building workshops in First Nation communities.	--	8,000	8,000
Evaluation Framework	--	35,000	35,000
TOTAL	112,049	100,000	212,049

CONTACT: Jeff Legault, 204-918-6593

DATE: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Intergovernmental Committee on First Nation Health and Social Development

ISSUE:

- The ICMFNHSD is a tripartite committee that focuses on ensuring equitable health and well-being outcomes as related to Manitoba First Nations.
- The ICMFNHSD is a policy and research table that works to promote collaborative partnerships and health and well-being strategies. The ICMFNHSD also works to inform federal, provincial and First Nations health and social policies, legislation and systems.

CRITICAL BACKGROUND:

- The ICMFNHSD (initially called the Romanow Joint Technical Working Group) was formed in January 2003 to begin a dialogue on the Romanow Report and, based on government-to-government relations, addresses key issues affecting the health and well-being of First Nation citizens.
- Manitoba representatives include Manitoba Health, Aboriginal and Northern Affairs, and Jobs and the Economy. Federal representatives include Indigenous and Northern Affairs Canada, First Nations and Inuit Health Branch (Health Canada) and the Public Health Agency of Canada. First Nations are represented by the Manitoba Keewatinowi Okimakanak, the Southern Chiefs Organization, and the Assembly of Manitoba Chiefs. A Grandmother and Traditional Healer participate and provide guidance to the group.
- Funding for ICMFNH is shared by provincial and federal partners. The 2016/17 Workplan and \$348,750 budget was approved in principle by the Senior Officials Steering Committee.
- Aboriginal and Northern Affairs (ANA) historically contributes \$60,000. Manitoba Health and ANA are exploring funding options to decrease the administrative burden on the ICMFNHSD Secretariat.
- 2016/17 activities include:
 - intergovernmental and tripartite coordination and communication;
 - collaboration and innovation (A First Nation Wellness Model and Action Plan);
 - tri-lateral alignment of mental wellness initiatives (provincial and federal); and,

- developing Indigenous wellness tools (areas of personal care homes on-reserve; traditional wellness and healing policy changes; and climate change and health).
- The work of the ICMFNHSD will inform the larger issue of achieving a unified health system and is linked to other work of the First Nations Health and Social Secretariat such as the federally funded Community-based Primary Healthcare Research Project.

Contact: Kim McPherson, 204-803-1853

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Intergovernmental Strategic Alignment on Aboriginal Issues (ISAA) – Memorandum of Collaboration (MOC) Successor Agreement

ISSUE:

- The ISAA working group continues to meet to with work being supported by an ISAA MOC coordinator (housed at the City of Winnipeg), and staff from each level of government.
- The MOC expired on June 30, 2015 and the parties have been engaging in discussions on the future of the ISAA.
- ISAA officials were directed by senior officials to carry out exploratory work as related to the development of a potential successor agreement. This work, captured within a formal administrative letter of understanding is anticipated to be completed in Summer 2016.

CRITICAL BACKGROUND:

- In the spring of 2009, the Governments of Canada, Manitoba and Winnipeg began discussions on how the three levels of government could continue to work together to “close the social and economic gap” between urban Aboriginal people and non-Aboriginal people in Winnipeg.
- In July 2010, the parties signed a Memorandum of Collaboration (MOC) to work together and better align resources to improve socio-economic outcomes for Aboriginal people in Winnipeg and to improve the capacity of Aboriginal organizations to carry out their mandates.
- The foundation for implementing the MOC was built in the first year of the agreement, between July 10, 2010 and June 30, 2011, with the completion of a strategic framework, work plan framework and terms of reference for three working groups, with the engagement of Winnipeg's Aboriginal community.
- The five year MOC Strategic Planning Framework committed the ISAA to outcomes for eight goals in four priority areas: Education, Training and Lifelong Learning, Employment and Economic Development, Building Capacity, Community Supports and Personal Engagement, and Supporting Community Wellness and Safety.
- A Steering Committee of Senior Officials from each of the parties oversees the ISAA process. The committee is comprised of the Regional Director General of Aboriginal Affairs and Northern Development Canada (Canada), the Deputy Ministers of

Manitoba Municipal Government and ANA and the Chief Administrative Officer for Winnipeg.

Contact: **Scott DeJaegher, 204-795-9640**

Date: **April 18, 2016**

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS**SUBJECT: Island Lake Retrofit and Training Initiative****ISSUE:**

- Indigenous and Northern Affairs Canada's (INAC) Regional Director General, Manitoba (as represented by the Deputy Minister of Aboriginal and Northern Affairs) and the Island Lake Chiefs are involved in a tripartite Steering Committee to provide oversight to the Island Lake Retrofit and Training Initiative. This initiative is designed to utilize the local labour force in the Island Lake region to address deficiencies in community water and sewage infrastructure.
- Officials from the Island Lake First Nation communities, INAC, Aboriginal and Northern Affairs, Jobs and the Economy (JEC), Service Canada, the Island Lake Tribal Council (ILTC) and Canada Mortgage and Housing Corporation (CMHC) also participate in the initiative.
- As of April 2016, the number of units retrofitted (completed and underway) are as follows:

Community	2012/13	2013/14	2014/15	2015/16*	Total
Garden Hill	30	65	65	54	214
Wassagamack	20	44	44	43	151
St. Theresa Point	38	83	83	55	259
Red Sucker Lake	12	26	12	n/a	50
Total	100	218	204	152	674

** Some 'clean-up' work is continuing into 2016/17.*

- Once completed, all serviceable homes in the four communities will have water and sewer service. It is anticipated that future steering committee discussions will include topics such as community housing shortages, tenant training and housing manager training.
- Manitoba has taken a lead in training efforts for the workers employed under the initiative. Essential Skills Assessments have been conducted in all four communities and this process continues. Workplace Education Manitoba (WEM) is delivering, or has delivered, Essential Skills Training in the communities of Wasagamack, Garden Hill and St. Theresa Point. This training is a critical building block before beginning technical apprenticeship training.
- Technical training for the identified apprentices is long-term in nature and generally requires some degree of essential skills upgrading followed by multi-year

apprenticeship training, which includes a combination of classroom-based technical training and on-the-job experience. Apprenticeship wage subsidies have been provided throughout the initiative.

- To support other regional labour market opportunities for the long-term, Manitoba has identified related occupations and is assisting each community to develop a community training plan which includes essential skills, employability skills, trades technical training and other offerings such as business administration.
- With current resourcing, Manitoba would be challenged to use this model in other regions while the retrofit initiative is underway. As such, no other regions have been identified for future retrofit projects.

CRITICAL BACKGROUND:

- In 2010, the Winnipeg Free Press began running a series of articles on the state of housing, related health issues and lack of water and sewer infrastructure in the Island Lake region.
- In February 2014, the Winnipeg Free Press published a positive story on improvements in access to clean water in the region.

CONTACT: Jeff Legault, 204-918-6593 & Grant Anderson, 204-471-2273

DATE: March 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: **Jordan's Principle (JP): Terms of Reference Working Group (TORWG) and Joint Steering Committee (JTC)**

ISSUE:

- The goal of the JP JTC is to improve access to services for First Nations children with multiple and complex medical needs on-reserve.
- The January 2016 Canadian Human Rights Tribunal decision on Jordan's Principle (and child welfare) may impact Manitoba's approach to Jordan's Principle in the long-term.

CRITICAL BACKGROUND:

- The JP JTC is an intergovernmental working group consisting of representatives from the First Nations Health and Social Secretariat of Manitoba (FNHSSM), the province (Family Services, Education, Health, Healthy Living and Seniors, and Aboriginal and Northern Affairs) and the federal government (Indigenous and Northern Affairs Canada (INAC) and First Nations and Inuit Health Branch).
- Report 1 outlines a dispute resolution process to ensure First Nation children with multiple disabilities or complex medical needs living on-reserve have access to comparable health and social services as other Manitoba children in geographic proximity.
- The current activity of the JP TORWG is to begin Report 2 that is broader in scope to Report 1 in that it will examine services available to children with disabilities in Manitoba including First Nations children. HHLS is exploring a contract with the Manitoba Centre for Health Policy (MCHP) to develop Report 2 as one of five deliverables between the MCHP and HHLS in 2016/17.
- ANA funded the Assembly of Manitoba Chiefs (now under FNHSSM) for \$25,000 to conduct an evaluation of the Jordan's Principle dispute resolution process entitled: Jordan's Principle Implementation – Testing: A Case Conferencing to Case Resolution Process for Manitoba. Findings were anticipated for the end of 2015/16 but the deadline has been extended. The findings will inform Report 2 and the outcomes of current the JP case conferencing process.
- A Communications Package to relevant service providers within respective partner departments was sent out in 2013/14 informing them of the JP process.

- The January 2016 Canadian Human Rights Tribunal Decision Re: *First Nations Child and Family Caring Society of Canada vs. Attorney General of Canada* considered Jordan's Principle and found Aboriginal Affairs and Northern Development Canada's (AANDC) (now INAC) narrow interpretation and implementation of JP results in service gaps, delays or denial and overall adverse impacts on First Nations children and families on-reserve. This may have impact on the JP process in Manitoba in the long-term.

Contact: Kim McPherson, 204-803-1853

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: **Justice Practitioners' Summit**

ISSUE:

- On January 7 and 8, 2016, Manitoba hosted a national Justice Practitioners' Summit (JPS) which included representatives from prosecutions, policing and victim services.
- The JPS was one of the outcomes from the first Roundtable on Missing and Murdered Indigenous Women and Girls.

CRITICAL BACKGROUND:

- Participants at the JPS included representatives from across Canada with expertise in prosecutions, policing and victim services.
- On the first day, participants heard the stories of six MMIWG family members from different regions across the country, who shared their diverse experiences and journeys in having a loved one go missing or be murdered; as well as their personal interactions with prosecutions, policing and victim services officials.
- Based on the sector-specific discussions, there are several overarching themes that emerged. These include:
 - Enhanced partnerships between federal, provincial and municipal governments and Indigenous organizations.
 - Tangible and respectful engagement with MMIWG families, communities and Indigenous Peoples.
 - More formalized communication and coordination between Indigenous organizations, Victim Services, Policing and Prosecutions.
 - Improved data collection and information systems among Victim Services, Policing and Prosecutions.
 - Holistic and culturally sensitive/appropriate supports for MMIWG families.
 - Greater cultural awareness training for Victim Services, Policing and Prosecutors.
 - Improved availability and access to support services for MMIWG families, including northern and rural communities.
- The recommendations were not intended to reflect a consensus view for all in attendance, but rather, the general discussions of the three sector specific areas.

- These recommendations were provided to federal, provincial and territorial governments and the National Aboriginal Organizations who attended the second National Roundtable on MMIWG in February 2016 in Winnipeg.
- The recommendations were subsequently referenced in the Outcomes and Priorities for Action to Prevent and Address Violence Against Indigenous Women and Girls from the National Roundtable. Each of the jurisdictions agreed to:
 - *Examine all recommendations contained within the 2016 Justice Practitioners' Summit, and continue to work collaboratively to improve communication and coordination between Indigenous families and communities, victim services, policing, prosecutions, and other justice system professionals.*
- It is anticipated that the recommendations from the JPS will also inform the forthcoming National Inquiry on Missing and Murdered Indigenous Women and Girls, which will be starting in July 2016.

Contact: Shirley Fontaine, 204-391-3396

Date: April 18, 2016

BRIEFING MATERIALS

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Manitoba's Métis Policy

ISSUE:

- In 2010, the Government of Manitoba announced the establishment of Manitoba's Métis Policy, a strategic and comprehensive policy document, jointly developed by the Government of Manitoba and the Manitoba Métis Federation (MMF).
- The Métis Policy reflects government's approach to ensuring an enhanced quality of life for Métis people and is intended to serve as a way by which to recognize the key role the Métis with respect to Manitoba's past, present and future.

CRITICAL BACKGROUND:

- In 2001, the Aboriginal Justice Implementation Commission (AJIC) recommended that *"the Government of Manitoba develop and adopt, with the full participation of the Manitoba Métis Federation, a comprehensive Métis policy on matters within its jurisdiction."*
- The AJIC gave three reasons for its recommendation:
 1. Métis were leaders in the creation of Manitoba and it is important to reflect both the historical role and the cultural distinctness of the Métis as one of Manitoba's Aboriginal peoples.
 2. There is an enduring gap in the quality of life between Manitoba's Métis and non Aboriginal peoples that will only be closed through better and more-focused programs.
 3. Departments within the Government of Manitoba have worked with the Manitoba Métis Federation and Métis people to develop and deliver programs over the years, but there has not been any overall plan. Current and future programs could be more effective if they were better co-ordinated.
- As a result of the AJIC recommendation, Manitoba and the Manitoba Métis Federation (MMF) have worked collaboratively on the development of a Métis Policy which was completed in 2010 and approved by Cabinet on September 2, 2010.
- The Métis Policy is the province's strategic policy context to both close the gap in quality of life and promote excellence for the more than 71,810 Métis people living in the province. It builds on the cultural distinctness of the Métis as a defining feature of Manitoba's social fabric and the knowledge that enhancing Métis goals and prosperity strengthens Manitoba's social and economic vibrancy.

- The Métis Policy aims to address three key goals identified by the AJIC which include:
 - Recognize Métis as leaders in the creation of Manitoba.
 - Develop better and more focused programs to close the gap.
 - Work together to coordinate programs to be more effective and efficient.
- Since completion of the Métis Policy, Manitoba has collaborated with the MMF to develop the Métis Policy Implementation Plan (MPIP). All activities in the MPIP are guided by the Métis Policy's agreed upon Principles and Framework.
- In 2015/16, Manitoba provided the MMF with \$75,000 to cover (pro-rated) staffing and operational costs for the period August 01, 2015 to March 31, 2016. ANA has budgeted \$100,000 for continued support of this process. These funds are independent of costs associated with future initiatives under the Policy Implementation Strategy.

Contact: Jacqueline Bedard, 204-299-5370

Date: April 18, 2016

BRIEFING MATERIALS

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Métis Economic Development Fund

ISSUE:

- The Métis Economic Development Fund (MEDF) was formally established on June 29, 2011 with a provincial commitment of \$10 million over five years, beginning in 2011/12. The original funding agreement was amended in April 2014 to a six-year agreement in order to allow the department of Aboriginal and Northern Affairs (ANA) to maintain its current level of funding to the MEDF while meeting its 2013/14 expenditure reduction targets. The MEDF is presently entering its sixth year (2016/17) of operations and the initial funding agreement is nearing its expiry date.
- An external evaluation was completed by Pricewaterhouse Cooper in September 2015. The evaluation demonstrated the success of the MEDF and identified a number of recommendations. Four of these recommendations have been brought forth to Manitoba in a letter on October 19, 2015 by the MEDF Board of Directors. This letter contained a series of four requests, primarily linked to the requirement to renew the MEDF funding agreement for 2017/18, including:
 - additional capitalization to MEDF of \$10 million;
 - recovery from the Province of \$1 million which was transferred to Métis Generation Fund (MGF);
 - recovery of \$550,000 of capital base depletion; and,
 - operational funding of \$250,000 for each of the next 2 years.
- On November 4, 2015, Manitoba responded to the MEDF's request by encouraging the MEDF to work with ANA toward a renewed agreement.
- The Department has received Cabinet approval to enter into negotiations with the Manitoba Métis Federation (MMF) and the Métis Economic Development Fund (MEDF) with a view to renewing the existing funding agreement between Manitoba and the MEDF in an amount up to \$1.5 million per year over seven years.

CRITICAL BACKGROUND:

- The MEDF is an equity investment fund intended to stimulate economic development activities of the Métis people throughout Manitoba by providing equity and capital for Métis entrepreneurs and businesses to support economic development initiatives.

- As a non-profit self-sustaining entity, all revenue generated by the fund is reinvested back into the fund to grow its supply of capital for investment in other Métis-owned enterprises.
- The MEDF's stated objectives are:
 - Provide equity for Métis entrepreneurs and businesses.
 - Promote and encourage trade and commerce for Métis entrepreneurs and business.
 - Maintain liaison between the Métis business community and government agencies and representatives at municipal, provincial and federal levels.
 - Support and encourage Métis community economic development initiatives.
 - Encourage the development of management skills for new and existing Metis business owners and entrepreneurs.
- In September 2015, PricewaterhouseCoopers (PwC) completed an evaluation of the MEDF which was a thorough examination of the MEDF's progress. The evaluation identified many positive results achieved by the MEDF.
- Entrepreneurs and business owners reported that the fund was able to fill their businesses needs for additional capital, support and enhanced relationships in the Métis community. The MEDF has a very successful partnership with the Louis Riel Capital Corporation and have collaborated on some business deals, marketing and the Métis Business Directory.
- Overall, the MEDF has performed very well and the board and management team have received extremely positive comments from all stakeholders.
- The evaluation recommended that the MEDF a) extend the reach of the fund to engage smaller investees and scale the due diligence process to smaller investments, b) enhance the marketing of MEDF and broaden reach across the province and c) explore opportunities to work with MMF on business skills training. The MEDF is presently implementing these recommendations.
- The MEDF consists of two programs:
 - **MEDF Partnership Portfolio.** An Equity Investment Partnership offering up to \$500,000 (minimum \$20,000 to cover administration costs) invested as equity through the acquisition of shares or convertible debenture. The program requires some equity from clients (at least 5%) in the form of cash, equipment, real estate or other unencumbered fixed assets, valued at fair market value by an independent appraiser. Details of how the Fund would exit (e.g., through sale of its equity position) is addressed as part of the investment partnership agreements within the Fund.

- **MEDF Financed Portfolio.** A loan program offering up to \$500,000 and no loan should exceed 75% of the realizable value of assets provided as security. A minimum 10% equity is required from clients with a maximum amortization of 10 years. MEDF will not duplicate existing Aboriginal business development programs but will search for opportunities to leverage existing lending programs and/or “pari passu” sharing a loan approval thus minimizing the capital risk for each perspective organization.

Contact: Jacqueline Bedard, 204-299-5370

Date: April 18, 2016

BRIEFING MATERIALS

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Metis Economic Development Strategy (MEDS)

ISSUE:

- The Métis Economic Development Strategy (MEDS) aims to foster strong, healthy and self-reliant Métis families, communities and businesses, so Métis quality of life is comparable to other Manitobans.
- The strategy contains a vision, strategic framework and portfolio of fourteen initiatives. Manitoba has identified four initiatives for current and active implementation with the creation of the Métis Economic Development Fund (MEDF) as the first priority.
- The MEDS was a collaborative undertaking that engaged elected officials, senior planning and coordinating staff from the Manitoba Metis Federation, Manitoba and Canada.
- Since 2008, all three parties have identified priority initiatives and a significant amount of work has taken place to implement MEDS initiatives.
- Some of the initiatives under the MEDS include:
 - the Métis Business Directory;
 - the Metis Economic Development Organization (MEDO) which is a for-profit business investment and management firm that works to make key business investment decisions based on generating profit, building capacity and sustainability development.
 - the Métis Generation Fund (MGF), which includes \$3 million from Canada's Major Resource and Energy Development (MRED) program, \$1 million from Manitoba and a \$500,000 contribution from Manitoba Hydro.

CRITICAL BACKGROUND:

- In 2012, MEDS was evaluated and the following was noted:
 - The partnership between the MMF and the federal government with respect to the Métis Generation Fund was ground breaking.
 - Establishing the Métis Economic Development Fund was the key priority and was accomplished in a relatively short period of time creating equity opportunities for Métis businesses.

- The Creation of the Métis Economic Development Organization (MEDO) and related activities has established the framework for the MMF to pursue self-sustainability.
- Activities around implementation have led the MMF to examine its internal capacity and undergo internal reorganization to improve efficiency.
- Understanding of Métis economic development has evolved, both within the MMF and with external members and partners

Contact: Jacqueline Bedard, 204-299-5370

Date: April 18, 2016

BRIEFING MATERIALS

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Minister's Mining Advisory Council (MMAC)

ISSUE:

- The Minister's Mining Advisory Council (MMAC) was formed in 2013 as a forum to bring leadership from Manitoba, First Nations and the minerals industry together to discuss common mineral resource and exploration opportunities, aspirations and challenges for the benefit of all parties.
- MMAC provides a forum to develop and recommend collaborative policy solutions that can reduce barriers to mineral development in Manitoba.
- Now in Phase 3, the current work plan includes consideration of:
 - Resource Revenue Sharing;
 - Permitting;
 - tax-based incentives for public companies to encourage increased Indigenous participation in mineral exploration;
 - United Nations Declaration on the Rights of Indigenous Peoples – Free Prior and Informed Consent;
 - Land Use Planning; and,
 - Métis inclusion.
- In Fall 2015, Manitoba announced that the province would be sharing 25% of mine taxes, from new mines, with Aboriginal communities. This framework, including distribution options, is currently under development.

CRITICAL BACKGROUND:

- MMAC provides strategic advice, direction and guidance to the Minister of Mineral Resources on ways to:
 - strengthen Manitoba's investment climate;
 - develop a collaborative decision-making processes with First Nation Communities; and,
 - establish an empowering framework for sharing mineral wealth.
- Current external members on the MMAC includes:
 - 9 First Nation communities (i.e., Norway House Cree Nation- Co-chair, Marcel Colomb First Nation, Gods Lake First Nation, Opaskwayak Cree Nation,

- Chemawawin Cree Nation, Mosakahiken Cree Nation, Bunibonibee Cree Nation, Sagkeeng First Nation and Nisichawayasihk Cree Nation); and,
 - the minerals industry (i.e., Vale Manitoba Operations, Hudbay, Graymont Western Canada Inc., Tantalum Mining Corporation of Canada Inc., Klondex Mines, and an Independent representative).
- Manitoba has financed 2015/16 core operations for the First Nation Mining Economic Development Corporation (MEDCO) and has committed to a further two years of core funding support.
- Accomplishments from previous phases include:
 - a commitment to share up to 25% of mine taxes, from new mines, with First Nation and Aboriginal communities;
 - the establishment of MEDCO with a mission to provide the necessary policy, program and advocacy support to First Nation communities to enable effective, successful and sustainable economic development related to the mining industry;
 - an improved understanding of the issues and perspectives facing all parties to the MMAC;
 - the development of a handbook to inform proponent engagement with Aboriginal communities;
 - the development of Guidelines for Best Practices in Mineral Exploration in Manitoba;
 - a Manitoba marketing strategy for the 2016 Prospectors and Developers Association of Canada Convention; and,
 - a joint Declaration of Priorities from the First Nation caucus, industry and government.
- The MMAC is supported by a working group lead by Mineral Resources and made up of representatives from Aboriginal and Northern Affairs, Indigenous and Northern Affairs Canada, the First Nation Caucus, MEDCO and staff from the Mining Association of Manitoba.

CONTACT: Jeff Legault, 204-918-6593

DATE: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: National Inquiry on Missing and Murdered Indigenous Women and Girls

ISSUE:

- On December 8, 2015, the Minister of Justice and Attorney General of Canada, the Minister of Status of Women and the Minister of Indigenous and Northern Affairs Canada announced a national inquiry into missing and murdered Indigenous women and girls (MMIWG).
- The National Inquiry on Missing and Murdered Indigenous Women and Girls is scheduled to start in July 2016 following the pre-inquiry process.
- As part of the pre-Inquiry process, discussions have been held with family members of MMIWG and Indigenous groups to seek input on the design of the Inquiry.

CRITICAL BACKGROUND:

- Premiers support the National Aboriginal Organization's (NAO) call for a National Inquiry on Missing and Murdered Indigenous Women and Girls. This includes a request for PT's and NAOs to be consulted on the Terms of Reference for the National Inquiry.
- The federal government has completed its engagement meetings with families of MMIWG across Canada to discuss the scope and mandate of the National Inquiry.
- At the recent Roundtable on Missing and Murdered Indigenous Women and Girls, all jurisdictions committed to participating and cooperating with the implementation of the National Inquiry across Canada:
- Indigenous women and girls in Canada are disproportionately affected by all forms of violence. Although Indigenous women make up 4 per cent of Canada's female population, 16 per cent of all women murdered in Canada between 1980 and 2012 were Indigenous.
- In 2004, Amnesty International released *Stolen Sisters: A Human Rights Response to Violence and Discrimination against Indigenous Women in Canada*. With funding from the federal government, the Native Women's Association of Canada (NWAC) began the Sisters in Spirit initiative, with the aim of gathering important statistics and raising awareness of this issue. In 2010, NWAC's report identified 582 missing and murdered Indigenous women and girls from across Canada.

- The Royal Canadian Mounted Police (RCMP)'s 2014 Missing and Murdered Aboriginal Women: An Operational Overview identified a total of 1,181 missing and murdered Indigenous women and girls. The RCMP's operational overview also found that while homicide rates for non-Indigenous women in Canada are declining, the homicide rate for Indigenous women has remained unchanged.
- Numerous other reports and studies on violence towards Indigenous women in Canada have identified underlying causes, such as socio-economic factors like poverty and homelessness as well as historic factors like racism, sexism and the legacy from colonialism and the devastation caused by the residential school system. Over 1,700 recommendations for action have been made.
- Many Indigenous families, communities and organizations, as well as non-governmental and international organizations, have urged the Government of Canada to take action and call a national inquiry, including the Truth and Reconciliation Commission's Calls to Action.
- Launching a national inquiry into MMIWG is seen as an important step towards a nation-to-nation relationship and a renewed sense of trust between the Government of Canada and Indigenous peoples in Canada.

Contact: Shirley Fontaine, 204-391-3396

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: **National Roundtable on Missing and Murdered Indigenous Women and Girls (MMIWG)**

ISSUE:

- The second National Roundtable on MMIWG was hosted by Manitoba on February 24 to 26, 2016. Each of the jurisdictions agreed to continue working with families and local partners to address violence against Indigenous Women and Girls and to participate and cooperate with the national inquiry on MMIWG.
- The first National Roundtable on MMIWG was held in Ottawa and included 3 key outcomes:
 - A commitment to holding a second National Roundtable in 2016
 - The development of a prevention and awareness campaign.
 - A commitment to a National forum on policing and justice responses.

CRITICAL BACKGROUND:

- The National Roundtables have provided an opportunity for federal, provincial, territorial, Indigenous governments and National Aboriginal Organizations to come together with the families and loved ones of murdered and missing Indigenous women and girls to move forward on coordinated actions, prevention and solutions.
- The participants at the National Roundtable agreed to:
 - Build on the work of the Aboriginal Affairs Working Group to include the federal government as a co-Chair, with time dedicated to MMIWG issues including the ongoing coordination of efforts, monitoring progress, and identifying priorities for action, including appropriate F/P/T Ministers.
 - Support the development of Indigenous-led cultural competency, anti-racism and anti-sexism training programs for all public servants across governments, police and the justice system to include components focused on Indigenous history, impacts of policies, legislation and historical trauma.
 - Create and implement a set of common performance measures to assess progress toward addressing and reducing the socio-economic gaps experienced by Indigenous peoples.
 - Work collaboratively to improve communication and coordination between Indigenous families, communities, victim services, policing; prosecutions, women's groups, anti-violence groups, and shelter workers.

- Some of the specific priorities outlined in the *Outcomes and Priorities for Action* document developed through this process include:
 - Implementing the proposed Canada-wide prevention and awareness campaign focused on changing public perception and attitudes to help end violence against Indigenous women and girls.
 - Improving Safety for Indigenous Women and Girls
 - Addressing Reconciliation
 - Addressing Social and Economic Inequalities
 - Improving Community Safety
 - Supporting Culturally Relevant Policing Measures and Justice Responses, including an examination of the recommendations from the 2016 Justice Practitioners' Summit, and continue to work collaboratively to improve communication and coordination between Indigenous families and communities, victim services, policing, prosecutions, and other justice system professionals.
- Each of the jurisdictions will determine which of the priority actions they will implement. As noted in the joint press statement, “The priority areas identified at the 2016 National Roundtable are not exhaustive or prescriptive; rather provide a foundation for an ongoing collaborative approach to addressing and preventing violence against Indigenous women and girls”.

Contact: Shirley Fontaine, 204- 391-3396

Date: April 18, 2016

BRIEFING MATERIALS

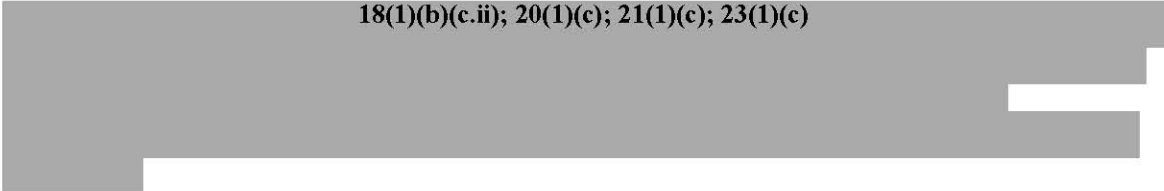
ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Neewin Health Inc.

ISSUE:

- Neewin Health Care Inc.'s (Neewin) key roles are to manage and provide administrative support to the Island Lake Regional Renal Health Program (ILRRHP) and develop an Island Lake Regional Primary Health Care Centre (PHCC).
- Neewin's main goal is to seek trilateral political support and funding to plan and develop a regional PHCC.

CRITICAL BACKGROUND:

- A MOU was signed in 2000 with the four Island Lake Tribal Council (ILTC) Chiefs, the federal government and the province. The MOU committed the governments to work towards three objectives:
 1. Develop dialysis services (ILRRHP);
 2. Develop a regional PHCC; and
 3. Develop a medical relocation program.
- Neewin is governed by a Board of Directors represented by the four Island Lake Tribal Council (ILTC) communities, the Northern Medical Unit and Aboriginal and Northern Affairs (ANA). Ex-offio members include Manitoba Health, Healthy Living and Seniors (MHHLS), Indigenous and Northern Affairs Canada (INAC), and First Nations and Inuit Health Branch (FNHIB).
- The Premier's 2010 commitment for a Community Health Services Review in the ILTC region never occurred. In fall 2015 the Premier directed MHHLS to internally explore additional preventative supports to the ILRRHP.
- **18(1)(b)(c.ii); 20(1)(c); 21(1)(c); 23(1)(c)**

- The 2016/17 deliverables may include: updating the 2008 Master Services Plan; a Health Services Review; renew the 2000 Memorandum of Understanding (MOU); develop a Regional Health Governance Model; conduct a Comprehensive Health and Human Resource Asset and Inventory Review; incorporate traditional methods; and develop a communication plan.

- 18(1)(b)(c.ii); 20(1)(c); 21(1)(c); 23(1)(c)
- 18(1)(b)(c.ii); 20(1)(c); 21(1)(c); 23(1)(c)
- 18(1)(b)(c.ii); 20(1)(c); 21(1)(c); 23(1)(c)

Contact: Kim McPherson, 204-803-1853

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Organizational Staff Development (OSD) on Response to the Truth and Reconciliation Commission (TRC) Calls to Action

ISSUE:

- The Civil Service Commission, through OSD, is leading an interdepartmental working group to develop a corporate strategy/training initiative in response to the TRC Call to Action #57:

“We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.”

- A representative from Aboriginal and Northern Affairs (ANA) participates on the working group.

CRITICAL BACKGROUND:

- The Manitoba government employs over 15,781 people (as of August 31, 2015) with various roles and responsibilities.
- ANA prepared a Briefing Note in October 2015 and met with OSD to share options on how OSD could develop a corporate strategy on TRC Call to Action #57 including: build on best practices for existing courses; full-day introductory course on history of Indigenous peoples, etc; recommend readings on Indigenous awareness; revisit the Traditional Wellness Policy; develop and implement a Minobimadiziwin Fund; offer Indigenous awareness brown bag Lunches; Annual Conference on Indigenous Awareness; cultural leave – support to attend traditional ceremonies and community gatherings; and develop an Indigenous Awareness Certificate.
- ANA subsequently helped facilitate meetings between OSD and the Treaty Commissioner of Manitoba and the Executive Director of the National Centre for Truth and Reconciliation to share information on respective mandates and resources for future partnerships.
- Other jurisdictions and institutions are introducing cultural awareness training for their staff such as the Government of Ontario and the City of Winnipeg. The Universities of Manitoba and Winnipeg are working on strategies to train staff and

increase education and awareness on Indigenous Peoples and history for students. The U of W is mandating a three credit course. Manitoba also introduced legislation to enhance training of teachers and improve Indigenous curricula.

- Conservation and Water Stewardship developed a program offering a Certificate in Indigenous Relations for their staff. They allocated \$30,000 to develop the program.
- OSD developed a Manitoba Government Scan for Aboriginal Awareness Training; a Community Organization Scan for Aboriginal Training; working with Aboriginal Education to participate in the Kairos Blanket Exercise; a scan of training providers; and met with U of W to explore their Indigenous Insights program.
- Other national reports have called for increased need for cultural safety programs/courses for providers such as the 2016 Missing and Murdered Indigenous Women and Girls Roundtable and the 2016 Justice Practitioners Summit.

Contact: Kim McPherson, 204-803-1853

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Partners for Careers

ISSUE:

- Partners for Careers is a joint initiative of Manitoba Children & Youth Opportunities and Aboriginal and Northern Affairs and the Government of Canada. It is a program designed to provide a full continuum of services both for the Aboriginal job seekers and potential employers.
- Partners for Careers is delivered through a partnership with the Centre for Aboriginal Human Resource Development in Winnipeg and 10 Manitoba Friendship Centres.
- Partners for Careers hosts and sponsors the Guide to Winnipeg for Aboriginal Newcomers and a website that showcases services for Aboriginal entrepreneurship and connects those organizations with youth.

CRITICAL BACKGROUND:

- Since 1998, Partners for Careers has delivered employment services for and by Aboriginal people. Reaching job seekers near or in the communities where they live throughout the province and marketing those job seekers to local business and industry is key to the success of the program.
- Helping job seekers connect to skills and trades training and appropriate education or other resources to help Aboriginal people be successful on their working and learning paths is a fundamental ingredient in the work being done.
- Partners for Careers creates well-placed and strategic partnerships between government, Aboriginal organizations, employers and job seekers through resources, programming and access/referral services. The strategies help to create access points for job seekers and employers, to educate and inform both, and to create successful pathways to careers and employment.
- Partners for Careers also attempts to address significant challenges that continue to face Aboriginal job placements, such as movement from remote and rural communities to urban centres, recognition of previous experience and training, lack of apprentice positions, and misunderstandings around the differences between apprenticeship, pre-trades training and entry-level training.

Contact: Scott DeJaegher, 204-795-9640

Date: April 18, 2016

Contact: Jacqueline Bedard, 204-299-5370

Date: April 18, 2016

BRIEFING MATERIALS

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Reconciliation and Wildlife Management

ISSUE:

- ANA is working with Conservation and Water Stewardship to explore models for shared decision-making with First Nations and Métis communities as a means to address government's commitment to reconciliation and to reverse declining game populations. To be successful, this initiative must be developed in conjunction with Indigenous leaders. A shared decision-making model will require flexibility and compromise on the part Manitoba and Indigenous communities and therefore, can only be successful if the model is acceptable to both sides.
- A number of short-term steps are envisioned in this work including:
 - Develop a discussion paper for internal review by the appropriate levels of authority within government.
 - Once direction is provided, initiate contact with First Nations and Métis leadership to gauge interest and ideas on shared decision-making. Based on past experience, it should be assumed that First Nations and Métis interest will be contingent upon a demonstrated government commitment to provide adequate funding to the development and implementation of shared decision-making.
 - Develop a working group of government and Indigenous representatives to explore wildlife management models for consideration.
- Past attempts at 'co-management' or other participatory models have frustrated Indigenous communities and generally had limited success as the final decision-making power remained solely with government. Shared decision-making would provide Indigenous communities with a greater say in the outcome. Meaningful shared decision-making may require financial support as well as revisions to current legislation and regulations.

CRITICAL BACKGROUND:

- Manitoba has endorsed the Calls to Action contained in the Report of the Truth and Reconciliation Commission of Canada (TRC). An overarching emphasis of that report is the need for urgent and transformative change in order to achieve reconciliation. The TRC defines reconciliation as "establishing and maintaining a mutually respectful relationship between aboriginal and non-Aboriginal peoples". Reconciliation will require education, building trust and societal change on many levels. It is a process that may take many generations.

- One aspect of reconciliation identified by the TRC is the need to revitalize Indigenous laws and legal traditions and incorporate them into our existing legal order. There may be an opportunity to do so in the area of wildlife management given the existence of treaty and aboriginal rights to harvest for subsistence and cultural purposes.
- First Nations and Métis communities depend on game species for both food and cultural reasons. However, the increasing demand for game can exceed the sustainable populations of these animals. Several populations of big game are in decline. Contributing factors vary by species, but subsistence hunting by First Nations and Métis is believed to be a factor in some of these declines.
- The Supreme Court of Canada (through various court decisions) has directed the Crown to consult and accommodate First Nations, Métis and other Aboriginal communities on government decisions that potentially impact their ability to exercise treaty and aboriginal rights to hunt for subsistence purposes. Good faith consultation and accommodation is constitutionally required as a means of fostering a mutually respectful relationship, which is essential for reconciliation.
- 21(1)(c); 23(1)(a)(c) Even if the department has fully complied with its legal Duty to Consult and Accommodate in good faith, Aboriginal communities may still believe that their voices have not been heard or may be dissatisfied with the accommodation offered. This is particularly important when government makes a decision that will negatively impact harvesting rights.
- 21(1)(c)(c.i); 23(1)(a)(c)
- Wildlife management provides a good “pilot project” to explore models of shared decision-making with Indigenous communities because Manitoba and Aboriginal communities have a mutual desire to conserve game for future generations.

CONTACT: Jeff Legault, 204-918-6593

DATE: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Resource Benefit Sharing

ISSUE:

- First Nations and Métis in Manitoba have demanded revenue sharing and benefit sharing from resource development and for co-operative decision making processes within their asserted traditional territories. Collectively, these are referred to as “Resource Benefit Sharing” (RBS) initiatives.
- In practical terms, First Nations and Métis are resorting to the courts for recognition of Aboriginal and treaty rights and successive court rulings are positive for indigenous claims. This means that it is no longer possible to develop large parts of Manitoba without the support of the relevant indigenous peoples.
- Thus far there is no legal interpretation supporting any obligation on governments to undertake specific action on RBS. However, there are policy reasons which include:
 - increased land use certainty and a stable environment for investment in the natural resource sector while fostering sustainable economic development for the overall prosperity of all Manitobans;
 - improved effectiveness and efficiency of Crown consultations;
 - improved socio-economic outcomes for Indigenous peoples and communities; and,
 - internal government clarity, consistency, coherence, efficiency, transparency and accountability on outcomes achieved.
- Reconciliation is a priority for the new federal government and it is related to RBS. This federal support will likely unleash financial and policy support for First Nations and Métis to participate in RBS engagement and negotiation processes in Manitoba.
- In jurisdictions across Canada where a coordinated RBS approach has been implemented, tangible, positive outcomes have resulted.
- The department could develop revenue sharing, benefit sharing and co-operative land and resource management policy frameworks with the participation of indigenous communities and the federal government. On a case-by-case basis, Manitoba has undertaken a number of revenue sharing, benefit sharing and co-operative decision making processes on land and resources which provides a foundation for a consistent RBS approach.
- The policy, if developed, might include a comprehensive communication strategy and education plan and could be aligned with Crown consultation processes.

CRITICAL BACKGROUND:

- The province has undertaken three strategic initiatives closely related to RBS:
 - **Northern Development Strategy:** Indigenous people make up 65% of Northern Manitoba's population and will push for employment and business opportunities, co-operative decision making on land and resource development and revenue sharing opportunities.
 - **Crown Consultations:** Crown consultation processes are the only opportunity for Indigenous communities to raise economic and policy issues with government, leading to protracted and unsatisfactory processes. RBS provides more appropriate processes for these issues to be addressed.
 - **Mining Strategy:** Manitoba Mineral Resources has made a commitment to share 25% of mining tax revenues with First Nations and Métis in an effort to create a stable investment and exploration environment. Land management and the limitations to Crown consultation processes (see bullet above) are outstanding issues that need to be addressed in order to improve exploration and investment in Manitoba.
- If Manitoba moves forward with RBS, the province would need to be mindful of several assumptions and constraints:
 - **Rights vs. Policy Approach:** First Nations and Métis demands for revenue and benefit sharing and co-management within their traditional territories are based on their understanding of the spirit and intent of the treaties and Aboriginal rights. The province will need to manage these assertions.
 - **Financial Position of the Province:** The province has significant debt and any investment in RBS will need to demonstrate clear net benefits, particularly with respect to the impact that investment has on the development of Manitoba's land and resources.
 - **Communities and Municipalities:** If RBS arrangements are being created on a policy basis, based on a 'social license' rationale, demands from adjacent communities and other stakeholders can be anticipated. The province will need to understand and manage competing interests, particularly from communities adjacent to developments that could have similar reasons for revenue sharing strategies.

Contact: **Alison Rogan, 204-918-4187**

Date: **April 18, 2016**

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Sale of the Hudson Bay Line and the Port of Churchill by OmniTrax

ISSUE:

- In December of 2015, OmniTrax Canada announced that it would be selling the Hudson Bay Railway (HBR) and Port of Churchill. The 820 km railway is the only land link connecting Churchill, 16 First Nations and Northern Affairs communities to the provincial road system and serves as an important link for delivering food, fuel and other essentials. Both the HBR and Port of Churchill are important to the economic viability of the region.
- Over the 2015 shipping season, the port moved 186,000 tonnes of grain, down from an average of 550,000 tonnes in earlier years. Most analysts maintain that the reduction is largely due to the dissolution of the Canadian Wheat Board and cheaper, more reliable shipping route alternatives.
- 20(1)(a); 21(1)(a)(c)
[Redacted]
- 18(1)(b)(c.ii); 20(1)(a)(c); 21(1)(a)(c)
[Redacted]
- 18(1)(c.ii); 20(1)(c); 21(a)(c); 28(1)
[Redacted]
- The HBR and Port of Churchill are important to northern economic and community development. The department should anticipate requests to assess and enhance the viability of the rail line and port and if the First Nation consortium continues with its plans, to offset some costs related to the purchase. These processes must include the federal government.

CRITICAL BACKGROUND:

- The HBR has been plagued by derailments that have intermittently forced the suspension of both freight and passenger services. There were 63 accidents on the line between 2003 and 2012, all but 10 were derailments.
- The HBR and port employs approximately 80 people.

- Since 2012 when the wheat board was privatized, Richardson International has been the port's biggest grain shipper. In early 2016, Richardson indicated that it will continue shipping grain through Churchill if it makes financial sense. However, lower ocean freight rates have made the economics of shipping grain through Churchill less attractive.
- The Keewatin Railway Company (KRC) is a First Nations railroad that owns and successfully runs a 300-kilometre branch line between The Pas and Mathias Colomb Cree Nation. KRC bought the Pukatawagan branch line in 2006 from OmniTrax and could bring railroad management expertise to the project.
- The viability of the Town of Churchill is greatly dependent upon the future of the Port and rail line. Given Churchill's role in Manitoba in tourism and its unique status, Manitoba participates in many files related to Churchill including the Hudson's Bay Neighbour's Regional Roundtable, the Churchill Port Authority and a Committee lead by the Associate Clerk of the Executive Council.

Contact: Grant Anderson, 204-471-2273

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Social Enterprise

ISSUE:

- Social enterprises are revenue generating businesses that focus on social, environmental and cultural outcomes.
- Manitoba Jobs and the Economy, Community Development and Family Services partnered with social enterprise developers to prepare the *Manitoba Social Enterprise* strategy which was published in February 2015. Twenty percent of steering committee members were from indigenous social enterprises.
- A number of indigenous social enterprises have achieved considerable success in the past decade, including Aki Energy, Mother Earth Recycling, community development corporations associated with East Side Road construction, and Northern Healthy Food projects. The department provides support directly and indirectly for each of these.
- The department could support social enterprises. Practically speaking this support falls into six areas:
 1. Enhance social enterprise organizational skills.
 2. Ensure access to capital and investment.
 3. Expand market opportunities through intentional purchasing and procurement processes.
 4. Promote and demonstrate the value of social enterprise.
 5. Create a supportive regulatory framework or remove regulatory barriers; and,
 6. Enhance networks and opportunities for shared learning.
- In 2015, the Winnipeg Chamber of Commerce initiated a Social Enterprise category for its Spirit Awards.

CRITICAL BACKGROUND:

- Social enterprises have demonstrated results reducing poverty, reducing crime, growing the labour force, increasing the tax base and decreasing costs associated with health care, justice, housing and social services.

Examples of Indigenous and northern social enterprises in Manitoba include:

- **AKI Energy:** installs geothermal heating and cooling in First Nations communities including Island Lake Tribal Council area, Peguis First Nation, Fisher River Cree Nation, Long Plain First Nation, Sagkeeng First Nation and Chemawawin Cree Nation. Since 2013 Aki Energy, with the Manitoba Geothermal Energy Alliance and support from Manitoba Hydro, has coordinated the conversion of approximately 350 homes from electric heat to geothermal heating and cooling. Nineteen students are completing a five-week training program and will receive certification as geothermal designers and installers. In total, 40 people will be employed full time in 2016. In 2015, Aki produced "*Social Enterprise and the Solutions Economy in First Nation Communities - A Tool Kit for Manitoba First Nations*," in March 2015 with financial support from the department.
- **Northern Healthy Foods:** the department invests in community-based strategies to expand local production of healthy foods. A partnership with Aki Energy, Garden Hill First Nation and University of Manitoba has created a new social enterprise to provide employment and increase access to affordable healthy foods in the Garden Hill. This model could be replicated in other northern communities.
- **East Side Road Community Development Corporations:** Through Community Benefit Agreements, First Nation, community-owned construction companies are contracted for clearing and gravel crushing projects. The East Side Road Authority (ESRA) also provides capacity building through training opportunities. Over 600 job opportunities have been created, largely attributable to local hiring requirements in construction tenders.
- **Mother Earth Recycling:** sponsored by the Aboriginal Council of Winnipeg (ACW), MER is a north end recycling plant for electronics and electrical waste that provides training and employment opportunities for indigenous peoples and is supported by the department, City, Government of Canada and CAHRD, Neeginan Institute and Industry.

Contact: Grant Anderson, 204-471-2273 & Alison Rogan, 204-918-4187

Date: April 18, 2016

BRIEFING MATERIALS

MANITOBA ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Summary of the Daniels Case

ISSUE:

- The Supreme Court of Canada (SCC) released its decision in the above-referenced case in April 2016. The issue was whether Métis and non-status Indians are included within the term “Indians” in s. 91(24) of the *Constitution Act, 1867*. Manitoba did not intervene in this case. In a unanimous decision, the SCC declared in *Daniels v. Canada (Indian Affairs and Northern Development)* that Métis and non-status Indians are “Indians” under section 91(24) of the *Constitution Act, 1867*, meaning they come within the federal government’s jurisdiction.
- The SCC’s ruling is intended to end the uncertainty that had resulted from prior federal and provincial refusals to take legislative responsibility for these groups, and provide a level of accountability.
- However, the SCC expressly left open deeper questions concerning who qualifies as non-status Indian and Métis people, and what rights they may have. Those issues will need to be resolved in the future, via negotiation, legislation or court decisions.

CRITICAL BACKGROUND:

Manitoba Justice Case Summary:

- The conclusion reached by the Supreme Court of Canada was expected and clarifies what has largely been a political question as opposed to a legal question. The decision confirms that the federal government has the authority to legislate for all persons of Aboriginal heritage. The court concluded that s. 91(24) and s.35 of the *Constitution Act, 1982* apply to the same group of people. The interpretation was seen as consistent with the recognition that all Aboriginal people are partners in confederation and that reconciliation with all of Canada’s Aboriginal peoples is Parliament’s goal; (at para. 37).
- The Supreme Court also confirmed that the provinces have the constitutional authority to pass legislation pertaining to Aboriginal people, provided that the legislation is in pith and substance within a provincial head of power. Thus, the court recognized that provincial legislation dealing with Aboriginal gaming and child welfare are *intra vires* the provinces.
- The court further confirmed its decision in *Powley* respecting who may exercise Métis collective harvesting rights. The court reiterated that the three criteria for exercising rights are that 1) the person self identifies as Métis; 2) the person has an ancestral connection to an historic Métis community; and 3) the person is accepted

by a modern Métis community. However, the court went further and concluded that the third criterion, community acceptance, is not necessary for a person to be Métis within the meaning of s. 91(24). The court's reasoning was that s. 91 is "about the federal government's relationship with Canada's Aboriginal peoples" and "this includes people who may no longer be accepted by their communities because they were separated from them as a result . . . of government policies. . .";(at para.49).

- There is almost no discussion in the case as to who is included within the term "non-status Indian". The court accepts that persons of mixed-ancestry are Indians within the meaning of s. 91(24) and concludes that "there is no need to delineate which mixed-ancestry communities are Métis and which are non-status Indians".

Analysis:

- The one obvious impact of the *Daniels* case is that it changes the political relationship that Métis and non-status Indians have with the federal government. While there is nothing in the judgment that requires the federal government to adopt a pan-Aboriginal approach to its policies and programs, there will be significant political pressure brought by Métis and non-status groups to address their issues. This will include calls for additional social benefits and the negotiation of land claims agreements.
- From the provincial perspective, the *Daniels* case is unlikely to have any immediate impact. The decision confirms that provinces can legislate with respect to Aboriginal people provided that the pith and substance of the legislation falls within provincial jurisdiction. This would include provincial legislation dealing with Métis harvesting which is a proposal that is currently under discussion with the MMF.
- There are, however, several issues that flow from *Daniels* that will need to be resolved over time. The case recognizes a class of Aboriginal people, referred to as non-status Indians that the court concludes are included within s. 91(24). There is no discussion in *Daniels* with respect to what rights this group may have under the *Constitution Act, 1982* s. 35 or under the *Natural Resources Transfer Agreement*. This is an issue that Manitoba has struggled with. There are mixed blood groups in Manitoba that self identify as distinct Aboriginal communities. Manitoba currently has no laws or policies in place that permit rights-based harvesting by these groups. Some of the people in these groups may also be Métis and may exercise rights as Métis, but some have advised Manitoba that they do so, only because Manitoba does not recognize their rights to harvest as Indians.
- Another issue that flows from *Daniels* is whether the federal government is legally obligated to provide benefits to Métis and non-status Indians that parallel those provided to First Nations. If the federal government continues to draw distinctions this could give rise to claims under the s.15 equality provisions in the *Canadian Charter of Rights and Freedoms*.

Conclusion:

- *Daniels* will impact the political relationship that Métis and non-status groups will have with the federal government. It will not directly impact the provinces. It does however raise some difficult questions regarding the rights of non-status Indians. Further, it may give rise to claims of inequality under s.15 of the *Charter* if there are tailored programs that apply to only certain Aboriginal groups.
- This case was not about the *Indian Act*. It does not put Métis under the *Indian Act*. It does not make or allow Métis to become “status Indians.” It also does not mean that Métis can immediately access programs and services that are currently only available to “status Indians.” The case should provide a “kickstart” to the federal government to seriously deal with Métis issues through negotiations. Métis inclusion under the *Indian Act*, is the result of the case.

Contact: Scott DeJaegher, 204-795-9640

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: The Path to Reconciliation Act

ISSUE:

- The Path to Reconciliation Act received Royal Assent on March 15, 2016.
- Manitoba has the first Reconciliation legislation in Canada to guide Manitoba's reconciliation measures including ongoing engagement with Indigenous peoples in the development and implementation of a Reconciliation Strategy.
- The Reconciliation Act outlines Manitoba's commitment to reconciliation and identifies what a Reconciliation process will entail. Specifically, the Act calls for:
 - The Designation of a member of the Executive Council to lead the government's participation in the reconciliation process by:
 - making recommendations on measures to advance reconciliation;
 - promoting initiatives to advance reconciliation across all sectors of society, including interdepartmental, inter-governmental, corporate and community initiatives;
 - promoting recognition of the contributions of Indigenous peoples to the founding of Manitoba; and,
 - making recommendations to the government about financial priorities and resource allocation across the government in relation to reconciliation.
 - The Development of a Reconciliation Strategy.
 - An Annual Progress Report on Reconciliation including measures and engagement with Indigenous peoples to implement the Reconciliation Strategy.

CRITICAL BACKGROUND:

- In June 2015, the Truth and Reconciliation Commission of Canada (TRC) released its Summary Report which included 94 Calls to Action.
- The Truth and Reconciliation Commission's Calls to Action impact many policy areas which are under provincial jurisdiction such as Child Welfare, Education, Health and Justice.
- In July 2015, Canada's Premiers supported the TRC Calls to Action and Manitoba's Indigenous Issues Committee of Cabinet (IICC) has taken a lead role in examining each of the TRC Calls to Action which may impact the Provincial Government.

- Manitoba has undertaken several initiatives to address reconciliation including:
 - *A National Research Centre for Truth and Reconciliation Act* - passed on June 30, 2015.
 - Amendments to legislation:
 - Child Welfare - *The Child and Family Services Amendment Act (Recognition Of Customary Care Of Indigenous Children)*; and
 - Education - *The Education Administration Amendment Act (First Nations, Métis And Inuit Education Policy Framework)* – a new framework which builds on the TRC Calls to Action.
 - Training of Civil Servants – ongoing development of an interdepartmental corporate training strategy to build understanding of the History of Indigenous peoples and the Residential School Legacy.
- As part of Manitoba's commitment to reconciliation, the legislation was developed to address Reconciliation with Indigenous peoples in Manitoba.
- The Path to Reconciliation Act was unanimously supported in the legislature on March 15, 2016.

Contact: Shirley Fontaine, 204-391-3396

Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: Truth and Reconciliation Commission – Calls to Action (CTA)

ISSUE:

- The Truth and Reconciliation Commission of Canada (TRC) released its Summary Report in June 2015. This was followed by the release of its Final Report in December 2015. A central component of the TRC's work focused on 94 'Calls to Action' (CTA) aimed at reconciling the relationship between Indigenous and non-Indigenous peoples in Canada.
- While many of the CTA focus on what different parties (e.g., governments, corporate sector, churches, universities) can do to address reconciliation and healing from the intergenerational legacy of Residential Schools, there are specific recommendations for the federal and provincial governments to consider.
- Manitoba departments are being encouraged to consider the CTA in the ongoing development and implementation of legislation, policies and programs. An annual report on the measures taken to advance reconciliation is part of The Path to Reconciliation Act.

CRITICAL BACKGROUND:

- In June 2015, the TRC Executive Summary was released with 94 Calls to Action for various levels of government, churches, universities, the corporate sector and other parties. While not all CTA are specifically directed to provincial/territorial governments, the provincial and territorial governments still have a significant role to play in helping to address many of the CTA.
- In July 2015, the Premiers announced their support for the TRC CTA. Some jurisdictions have reported that they have undertaken their own review of the CTA.
- The federal government has endorsed the Truth and Reconciliation Commission's CTA.
- The federal government has indicated its support for the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) which will likely impact future federal policies, programs and legislation. This may, in turn, impact provincial policies and programs.
- The federal government's position has been considered in Manitoba's Path to Reconciliation Act which references using the principles of the UNDRIP and the CTA to guide future reconciliation efforts in Manitoba.

- In addition to The Path to Reconciliation Act, Manitoba has undertaken several legislative and policy actions including:
 - The National Research Centre for Truth and Reconciliation Act passed on June 30, 2015.
 - Amendments to legislation, including:
 - the Child and Family Services Amendment Act (Recognition Of Customary Care Of Indigenous Children); and,
 - the Education Administration Amendment Act (First Nations, Métis And Inuit Education Policy Framework) – a new framework which builds on the TRC CTA.
 - Training for Civil Servants as part of the ongoing development of an interdepartmental strategy.
- Manitoba provincial departments have also provided input on which of the CTA may affect the provincial government through the Indigenous Issues Committee of Cabinet (IICC).

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Date: April 18, 2016

BRIEFING MATERIALS

ABORIGINAL AND NORTHERN AFFAIRS

SUBJECT: United Nations Declaration on the Rights of Indigenous Peoples

ISSUE:

- Manitoba has various pieces of legislation, policies and programs that could be said to be in line with the spirit of the principles and Articles set out in the UNDRIP, recognizing that more could be done to implement the Declaration. There are a number of Articles that may concern the government of Manitoba, particularly those that relate to free, prior and informed consent.
- Manitoba Indigenous organizations may not agree with the province's position however there will be opportunity to discuss implementation of UNDRIP through the *Path to Reconciliation Act* that was passed unanimously and assented to on March 15, 2016.

CRITICAL BACKGROUND:

- UNDRIP was endorsed on September 13, 2007 with 4 countries, Canada, United States, Australia and New Zealand voting against it. Canada endorsed UNDRIP in November, 2010 outlining concerns related to:
 - the provisions on lands, territories and resources;
 - free, prior and informed consent when used as a veto;
 - self-government without recognition of the importance of negotiations;
 - intellectual property;
 - military issues; and,
 - the need to achieve an appropriate balance between the rights and obligations of indigenous peoples, member States and third parties.
- In September 2014 Canada reiterated concerns with the World Conference on Indigenous Peoples Outcome Document primarily on:
 - Free, prior and informed consent; and
 - Diminishing the rights of indigenous peoples.
- The Truth and Reconciliation Commission (TRC) has called for the UNDRIP to be the framework for reconciliation for all levels of government (TRC Call to Action #43). The Government of Canada has indicated that it would work with partners to fully implement the TRC Calls to Action including the domestic implementation of the UNDRIP.

- The *Path to Reconciliation Act* affirms “the Government of Manitoba is committed to reconciliation and will be guided by the calls to action of the TRC and the principles set out in the UNDRIP”.
- Manitoba activities that support UNDRIP principles include, but are not limited to:
 - Manitoba’s Duty to Consult Policy;
 - Manitoba’s *Aboriginal Languages Recognition Act*;
 - Manitoba’s Métis Policy;
 - *the National Research Centre for Truth and Reconciliation Act*;
 - Organizational Staff Development’s Interdepartmental Working Group on TRC Call to Action #57 (see Briefing Note: “Organizational Staff Development (OSD) on Response to the Truth and Reconciliation Commission (TRC) Calls to Action”);
 - Proposed amendments to legislation including the *Child and Family Services Amendment Act (Recognition Of Customary Care Of Indigenous Children)* and *The Education Administration Amendment Act (First Nations, Métis And Inuit Education Policy Framework)* – a new framework which builds on the TRC Calls to Action.

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