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April 22, 2016

MEMORANDUM TO: Municipal Chief Administrative Officers, Clerks and
Service Managers

SUBJECT: Proclamation of the *Infrastructure for Jobs & Prosperity Act*,
2015

I am writing to you on behalf of the Ministry of Economic Development, Employment and Infrastructure to advise you that the *Infrastructure for Jobs and Prosperity Act, 2015* will be proclaimed on May 1, 2016. The purpose of the Act is to establish mechanisms to encourage principled, evidence-based and strategic long-term infrastructure planning that supports job creation and training opportunities, economic growth, protection of the environment and design excellence.

Upon proclamation, the Government and Broader Public Sector entities covered by the Act will be required to consider statutory infrastructure planning principles when making infrastructure-related decisions.

Attached as Appendix A are the principles that planning and investment decisions should take into account. These include:

1. A long-term view as well as demographic and economic trends
2. Applicable budgets and fiscal plans
3. Clearly identified priorities
4. Continuation of the provision of core public services
5. Promotion of economic competitiveness, productivity, job creation and training
6. Ensuring health and safety of infrastructure workers
7. Opportunities to foster innovation
8. Evidence-based and transparent decisions
9. Existing plans and strategies such as policy statements and transportation plans
10. Promotion of accessibility for persons with disabilities
11. Designs that minimize environmental impact and are resilient to climate change
12. Use of acceptable recycled aggregates
13. Promotion of community benefits

As a matter of best practice, many entities are likely already considering these principles. Proclamation of the Act will formalize these requirements, making their application more consistent across entities in a manner appropriate to each entity's context.

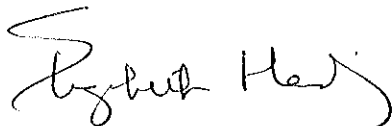
The legislation does not immediately introduce any new formal reporting requirements. However, each entity is responsible to meet the legislated requirements and should be prepared to demonstrate compliance, if required.

Note: this memo should not be relied upon as a substitute for specialized legal or professional advice in connection with activities and decisions pertaining to infrastructure planning and investment. Independent legal or professional advice should be obtained when determining the interpretation and application of the Infrastructure for Jobs and Prosperity Act, 2015. Responsibility for decisions remains with the recipients of this letter.

If you have any questions or require further information, please contact your Municipal Services Office at 519-873-4020 or toll-free at 1-800-265-4736.

Your continued support is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Harding", written in a cursive style.

Elizabeth Harding
Assistant Deputy Minister
Municipal Services Division

Attachment

Appendix A

Infrastructure Planning Principles as provided for in the *Infrastructure for Jobs and Prosperity Act, 2015*

Principles

The Government, and every broader public sector entity, shall consider the following principles when making decisions respecting infrastructure:

1. Infrastructure planning and investment should take a long-term view, and decision-makers should take into account the needs of Ontarians by being mindful of, among other things, demographic and economic trends in Ontario.
2. Infrastructure planning and investment should take into account any applicable budgets or fiscal plans, such as fiscal plans released under the *Fiscal Transparency and Accountability Act, 2004* and budgets adopted under Part VII of the *Municipal Act, 2001* or Part VII of the *City of Toronto Act, 2006*.
3. Infrastructure priorities should be clearly identified in order to better inform investment decisions respecting infrastructure.
4. Infrastructure planning and investment should ensure the continued provision of core public services, such as health care and education.
5. Infrastructure planning and investment should promote economic competitiveness, productivity, job creation and training opportunities.
6. Infrastructure planning and investment should ensure that the health and safety of workers involved in the construction and maintenance of infrastructure assets is protected.
7. Infrastructure planning and investment should foster innovation by creating opportunities to make use of innovative technologies, services and practices; particularly where doing so would utilize technology, techniques and practices developed in Ontario.
8. Infrastructure planning and investment should be evidence based and transparent, and, subject to any restrictions or prohibitions under an Act or otherwise by law on the collection, use or disclosure of information,
 - i. investment decisions respecting infrastructure should be made on the basis of information that is either publicly available or is made available to the public, and
 - ii. information with implications for infrastructure planning should be

shared between the Government and broader public sector entities, and should factor into investment decisions respecting infrastructure.

9. Where provincial or municipal plans or strategies have been established in Ontario, under an Act or otherwise, but do not bind or apply to the Government or the broader public sector entity, as the case may be, the Government or broader public sector entity should nevertheless be mindful of those plans and strategies and make investment decisions respecting infrastructure that support them, to the extent that they are relevant. Examples of plans and strategies to which this paragraph may apply include,

- i. policy statements issued under section 3 of the *Planning Act*, and provincial plans as defined by that Act,
- ii. municipal water sustainability plans submitted under the *Water Opportunities Act, 2010*,
- iii. the Lake Simcoe Protection Plan established under the *Lake Simcoe Protection Act, 2008*, and
- iv. transportation plans adopted under the *Metrolinx Act, 2006*.

10. Infrastructure planning and investment should promote accessibility for persons with disabilities.

11. Infrastructure planning and investment should minimize the impact of infrastructure on the environment and respect and help maintain ecological and biological diversity, and infrastructure should be designed to be resilient to the effects of climate change.

12. Infrastructure planning and investment should endeavour to make use of acceptable recycled aggregates.

13. Infrastructure planning and investment should promote community benefits, being the supplementary social and economic benefits arising from an infrastructure project that are intended to improve the well-being of a community affected by the project, such as local job creation and training opportunities (including for apprentices, within the meaning of section 9), improvement of public space within the community, and any specific benefits identified by the community.

14. Any other principles that may be prescribed for the Government or the broader public sector entity, as the case may be.