

SPECIAL MEETING OF THE BOARD
AGENDA

Date: Tuesday, May 14, 2019
Time: 6:30 pm
Location: Catholic Education Centre - Board Room
802 Drury Lane
Burlington, Ontario

Pages

1. **Call to Order**
 - 1.1 **Opening Prayer, National Anthem and Oath of Citizenship (P. DeRosa)**
2. **Approval of the Agenda**
3. **Declarations of Conflict of Interest**
4. **Action Items**
 - 4.1 **2019 Education Development Charges (EDC) By-Law Amendment (A. Lofts)** 1 - 6
5. **In-Camera**
6. **Resolution re Absentees**
7. **Adjournment and Closing Prayer (B. Agnew)**



2019 Education Development Charges By-Law Amendment	Item 4.1
May 14, 2019	

Alignment to Strategic Plan

This report is linked to our strategic priority of **Foundational Elements:** Optimizing organizational effectiveness.

Purpose

The purpose of this report is to seek approval from the Board of Trustees to amend the 2018 Education Development Charges (“EDC”) By-law, to extend the term of the by-law from one (1) year to five (5) years and increase the residential and non-residential charges in accordance with the recent amendments to Ontario Regulation 20/98.

Background Information

- 1) Staff Report 9.1 “2019 Education Development Charges By-Law Amendment” from the May 7, 2019, Regular Board Meeting.
- 2) Information Report 10.3 “2019 Education Development Charges By-Law Amendment” from the April 2, 2019, Regular Board Meeting.
- 3) Presentation 4.1 “Education Development Charges” from the March 19, 2019, Regular Board Meeting.
- 4) Information Report 10.9 “Planning Services Work Plan for 2018-2019” from the October 2, 2018, Regular Board Meeting.
- 5) Action Report 4.1 “2018 Education Development Charges (EDC) By-Law: Proposed EDC By-Law Passage” from the June 28, 2018, Special Board Meeting.

Comments

On June 28, 2018, the Ministry of Education approved the necessary components of the Board’s 2018 Education Development Charges Background Study. The Board passed the 2018 Education Development Charges By-law, which came into force on July 4, 2018.

On October 15, 2018, the Ministry of Education announced that the Province had placed a temporary cap/pause on EDC rate increases. On March 29, 2019, the Ministry of Education announced that the



cap on increasing the current EDC rates would be partially lifted and replaced with restrictions that would permit “reasonable” increases to the current rates. The following applies to the Board:

- A maximum yearly increase of \$300 per residential dwelling unit; and,
- A maximum yearly increase of 5% of the non-residential rates.

With these new legislative permissions, the Board is in a position to increase its charges incrementally over the remaining term of the by-law to achieve the required residential and non-residential charge amounts contemplated in the 2018 Education Development Charges Background Study. The 2018 EDC Background Study determined a residential charge of \$3,648 per dwelling unit and a non-residential charge of \$0.83 per square foot of gross floor area (\$8.93 per square metre).

Table 1 below illustrates the annual increases that the Board’s professional consultants and legal counsel are recommending, and the terms to which they apply.

Table 1: HCDSB Residential and Non-Residential Rate Increases

	2018 EXISTING BY-LAW CHARGE	2018 BKGD STUDY AMOUNT	Balance of Year 1 May 19, 2019 to July 3, 2019	Year 2 July 4, 2019 to July 3 2020	Year 3 July 4, 2020 to July 3 2021	Year 4 July 4, 2021 to July 3 2022	Year 5 July 4, 2022 to July 3 2023
Residential Unit	\$ 2,269	\$ 3,648	\$ 2,569	\$ 2,869	\$ 3,169	\$ 3,469	\$ 3,648
Non-Residential	\$ 0.58	\$ 0.83	\$ 0.61	\$ 0.64	\$ 0.67	\$ 0.70	\$ 0.74

Staff also recommends that the Board extend the term of the 2018 by-law to a maximum of five (5) years, given that the current by-law is set to expire at the close of business on July 3, 2019.

The draft By-law that implements the levies is attached as Appendix A.

Board staff placed a notice in the local newspapers advising the development community and the public of the proposed amendments to the 2018 EDC By-law which the Board will consider for approval on May 14, 2019. Further, a letter was also sent to BILD and the municipalities advising them directly of the proposed amendments and the date when the amendments will be presented for consideration.

Staff presented its draft recommendations to the Board of Trustees at the May 7, 2019, Board Meeting.

If approved, staff will provide notification to the community of the By-Law Passage through a written notice in local newspapers, and an email notification to municipalities, co-terminous school Boards, and the Building Industry and Land Development Association (BILD).



Below are the next steps in completing the 2018 Education Development Charges By-law amendment:

TENTATIVE DATE	ACTIONS
April 2, 2019	2019 Education Development Charges Amendment – Information Report
May 7, 2019	2019 Education Development Charges Amendment – Staff Report
May 14, 2019	2019 Education Development Charges Amendment – Action Report
May 19, 2019	2018 Education Development Charges for Remainder of Year 1 come into effect
July 4, 2019	2018 Education Development Charges for Year 2 come into effect

Conclusion

As the Province continues its review of the policy framework governing Education Development Charges, Board staff is recommending amendments to the 2018 EDC By-law to extend the term and increase the residential and non-residential rates in accordance with the recent amendments to Ontario Regulation 20/98.

Recommendation:

Staff presents the following recommendation for consideration by the Board of Trustees:

Resolution#:

BE IT RESOLVED THAT, a separate public meeting is not required regarding the proposed amendment to the 2018 EDC By-law; and,

THAT, the Halton Catholic District School Board enact a by-law which will amend the 2018 EDC By-law to apply to the development of land in the Region of Halton;

THAT, the amending EDC By-law be in the form attached hereto and that it amend the Board’s 2018 EDC By-Law in the following respects:

Section 9 be revised to read as follows:

Subject to the provisions of this by-law, an education development charge per dwelling unit shall be imposed upon the designated categories of residential development and the designated residential uses of land, buildings or structures, including a dwelling unit accessory to a non-residential use, and, in the case of a mixed-use building or structure, upon the dwelling units in the mixed-use building or structure. The education development charge per dwelling unit shall be in the following amounts for the periods set out below:

- (i) May 19, 2019 to July 3, 2019: \$2,569.00;
- (ii) July 4, 2019 to July 3, 2020: \$2,869.00;
- (iii) July 4, 2020 to July 3, 2021: \$3,169.00;
- (iv) July 4, 2021 to July 3, 2022: \$3,469.00;
- (v) July 4, 2022 to July 3, 2023: \$3,648.00;



Section 12 be revised to read as follows:

Subject to the provisions of this by-law, an education development charge per square foot of gross floor area of non-residential development shall be imposed upon the designated categories of non-residential development and the designated non-residential uses of land, buildings or structures and, in the case of a mixed-use building or structure, upon the non-residential uses in the mixed-use building or structure. The education development charge per square foot of gross floor area shall be in the following amounts for the periods set out below:

- (i) May 19, 2019 to July 3, 2019: \$0.61 per square foot;
- (ii) July 4, 2019 to July 3, 2020: \$0.64 per square foot;
- (iii) July 4, 2020 to July 3, 2021: \$0.67 per square foot;
- (iv) July 4, 2021 to July 3, 2022: \$0.70 per square foot;
- (v) July 4, 2022 to July 3, 2023: \$0.74 per square foot;

Section 21 be revised to read as follows:

This by-law shall expire five years after the date it comes into force unless it is repealed at an earlier date.

Report Prepared by:

F. Thibeault
Senior Manager, Planning Services

Report Submitted by:

A. Lofts
Superintendent, Business Services and Treasurer of the Board

Report Approved by:

P. Daly
Director of Education and Secretary of the Board

HALTON CATHOLIC DISTRICT SCHOOL BOARD**EDUCATION DEVELOPMENT CHARGE AMENDING BY-LAW (2019)****A by-law to amend Education Development Charges By-law, 2018****WHEREAS:**

Halton Catholic District School Board enacted Education Development Charges By-law, 2018 on June 29, 2018;

Section 257.70 of the Education Act, R.S.O. 1990, c. E.2 (the "Act"), provides for amendments to education development charges by-laws;

Halton Catholic District School Board requires amendments to Education Development Charges By-law, 2018;

In accordance with the Act, the background study for Education Development Charges By-law, 2018 has been made available to the public;

Halton Catholic District School Board has made available to the public sufficient information to allow the public to understand the proposed amendments to Education Development Charges By-law, 2018;

Halton Catholic District School Board has given notice of the proposed amendments to Education Development Charges By-law, 2018 in accordance with the Act and Ontario Regulation 20/98;

An opportunity was given to interested parties to provide comments and submissions to the Halton Catholic District School Board in respect of this amending by-law;

NOW THEREFORE, THE HALTON CATHOLIC DISTRICT SCHOOL BOARD HEREBY ENACTS AS FOLLOWS:

1. Section 9 of Education Development Charges By-law, 2018 is hereby repealed and replaced with the following:

Subject to the provisions of this by-law, an education development charge per dwelling unit shall be imposed upon the designated categories of residential development and the designated residential uses of land, buildings or structures, including a dwelling unit accessory to a non-residential use, and, in the case of a mixed-use building or structure, upon the dwelling units in the mixed-use building or structure. The education development charge per dwelling unit shall be in the following amounts for the periods set out below:

- (i) May 19, 2019 to July 3, 2019 - \$2,569.00;
- (ii) July 4, 2019 to July 3, 2020 - \$2,869.00;
- (iii) July 4, 2020 to July 3, 2021 - \$3,169.00;
- (iv) July 4, 2021 to July 3, 2022 - \$3,469.00;
- (v) July 4, 2022 to July 3, 2023 - \$3,648.00.

2. Section 12 of Education Development Charges By-law, 2018 is hereby repealed and replaced with the following:

Subject to the provisions of this by-law, an education development charge per square foot of gross floor area of non-residential development shall be imposed upon the designated categories of non-residential development and the designated non-residential uses of land, buildings or structures and, in the case of a mixed use building or structure, upon the non-residential uses in the mixed-use building or structure. The education development charge per square foot of gross floor area shall be in the following amounts for the periods set out below:

- (i) May 19, 2019 to July 3, 2019 - \$0.61;
 - (ii) July 4, 2019 to July 3, 2020 - \$0.64;
 - (iii) July 4, 2020 to July 3, 2021 - \$0.67;
 - (iv) July 4, 2021 to July 3, 2022 - \$0.70;
 - (v) July 4, 2022 to July 3, 2023 - \$0.74.
3. Section 21 of Education Development Charges By-law, 2018 is hereby repealed and replaced with the following:

This by-law shall expire five years after the date it comes into force, unless it is repealed at an earlier date.
 4. For greater certainty, Education Development Charges By-law, 2018, remains in full force and effect subject to the amendments thereto described in Sections 1, 2 and 3 of this amending by-law.
 5. This amending by-law shall come into force on May 19, 2019.

ENACTED AND PASSED this 14th day of May, 2019

Chairperson

Director of Education and Secretary