



# GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD MEMORANDUM

**DATE:** April 16, 2019

**TO:** The Chairperson and  
Trustees of the Greater Essex County District School Board

**FROM:** Erin Kelly, Director of Education  
  
Shelley Armstrong, Superintendent of Business

**SUBJECT:** Proposed 2019 Education Development Charges By-laws Renewal

**AIM:**

To gain Board approval of the proposed 2019 Education Development Charges (EDC/EDCs) By-laws, as the current EDC By-laws, being by-laws 23 and 24, expire on May 11, 2019 (end of the five year term).

**BACKGROUND:**

EDCs are a development charge that is imposed under a Board By-law(s) with respect to growth-related net education land costs incurred or proposed to be incurred by the Board. A financial charge is applied on new development that is paid when the building permit is issued by the municipality. The revenue collected from the charge is used by the Board to purchase land/sites for new schools or additions thereto. EDCs are the primary source of funding site acquisition needs for a school board that qualifies under the *Education Act* (Act), experiencing growth in its jurisdiction.

The 2019 EDC By-laws would be the fifth set of By-laws adopted by the Board since 2003, as detailed below:

Board EDC By-laws	Term	EDC Background Study Rate (per dwelling unit)	EDC By-law Rate (per dwelling unit)
<b>Past EDC By-laws</b>			
#1 (2003-05-21-W)	June 1, 2003 to May 31, 2008	\$190	\$190
#2 (2003-05-21-E)	June 1, 2003 to May 31, 2008	\$180	\$180
#9 (July 2008-W)	July 7, 2008 to July 7, 2009	\$190	\$190
#10 (July 2008-E)	July 7, 2008 to July 7, 2009	\$180	\$180
#13 (April 2009-W)	May 11, 2009 to May 11, 2014	\$591	\$591
#14 (April 2009-E)	May 11, 2009 to May 11, 2014	\$454	\$454
<b>Current EDC By-laws</b>			
#23 (April 2014-W)	May 11, 2014 to May 11, 2019	\$305	\$305
#24 (April 2014-E)	May 11, 2014 to May 11, 2019	\$305	\$305
W = City of Windsor E = Municipality of Leamington, Town of Amherstburg, Town of Essex, Town of Kingsville, Town of Lakeshore, Town of LaSalle, Town of Tecumseh and the Township of Pelee			

In order to qualify for EDC By-laws to impose the EDC charges, the Board must meet one of the several conditions pursuant to Ontario Regulation 20/98 (Regulation), as amended of the Act. The Board currently has outstanding EDC financial obligations within their EDC reserve funds, based on having in-force EDC by-laws, thus qualifying for eligibility to charge EDCs.

The Board engaged Jack Ammendolia of Watson & Associates Economists Ltd. for the 2019 EDC Review Process, as required under the Act.

The EDC documents were provided to the Ministry of Education in order to provide them with sufficient time to review the document and provide approval prior to the enactment of the proposed by-laws. The Board originally anticipated receiving Ministry of Education approval on or before April 16, 2019. However, based on recent conversations with the Ministry's office, it is the Board's understanding that Ministry approval could be delayed.

Two statutory public meetings were held on April 2, 2019 to solicit public input. Comments received through the public consultation process are included in appendices 1 and 2. All comments have been considered by Administration in the recommendations put forward in this memorandum.

All EDC information has been posted on the Board's EDC webpage at the following link:  
<https://www.publicboard.ca/Board/Budget-Finance/Pages/Education-Development-Charges.aspx>

As a result of the provincial phase-in of the EDC rates with recent amendments to the Regulation of the Act, the Board's existing EDC rates can now be increased by the greater of \$300 or by 5% of the existing rate, year after year until the proposed EDC rate is achieved. The table below provides the initial proposed phase-in rates for the five years of the two proposed by-laws.

	EXISTING EDC RATES	Year 1 2019	Year 2 2020	Year 3 2021	Year 4 2022	Year 5 2023	PROPOSED EDC RATES
GECD SB CITY OF WINDSOR EDC BY- LAW	\$ 305	\$ 605	\$ 905	\$ 1,205	\$ 1,455	\$ 1,455	\$ 1,455
GECD SB COUNTY OF ESSEX/TOWNSHIP OF PELEE EDC BY- LAW	\$ 305	\$ 605	\$ 682	\$ 682	\$ 682	\$ 682	\$ 682

The two proposed EDC by-laws are included in appendices 3 and 4.

**RECOMMENDATION:**

**THAT THE BOARD CONFIRMS THAT AN ADDITIONAL STATUTORY PUBLIC MEETING IS NOT REQUIRED PRIOR TO THE ENACTMENT OF THE EDUCATION DEVELOPMENT CHARGE BY-LAWS, IN ACCORDANCE WITH SECTION 257.63(3) OF THE EDUCATION ACT;**

**AND THAT THE BOARD ENACT AN EDUCATION DEVELOPMENT CHARGE BY-LAW, FOR THE CITY OF WINDSOR, AS ATTACHED IN APPENDIX 3 OF THIS MEMORANDUM;**

**AND FURTHER THAT THE BOARD ENACT AN EDUCATION DEVELOPMENT CHARGE BY-LAW, FOR THE COUNTY OF ESSEX/TOWNSHIP OF PELEE, AS ATTACHED IN APPENDIX 4 OF THIS MEMORANDUM.**

**APPENDICIES:**

1. First Public Meeting: EDC Policy Review – Comments Matrix
2. Second Public Meeting: EDC Background Study and Proposed By-laws – Comments Matrix
3. Draft Education Development Charges By-law, for the City of Windsor, dated April 16, 2019
4. Draft Education Development Charges By-law, for the County of Essex/Township of Pelee, dated April 16, 2019