

**APPENDIX 2**

**Second Public Meeting: EDC Background Study and Proposed By-laws – Comments Matrix**

This document contains the Board’s analysis of comments received from the public and trustees, as a result of the public consultation process for the EDC Background Study and Proposed By-laws.

<b><u>Comments</u></b>	<b><u>Comment Received</u></b>	<b><u>Resolved?</u></b>	<b><u>Response to Comments</u></b>
<p>1. From previous experience when we talk about the nature of new development and projecting that we need new homes built, we know our population is not expected to grow, so when adding new units we are redistributing the current population in the units. When doing the study with respect to new units and the number of children that will be in those units, is your calculation corrected for the possible attrition of students that will be in another area?</p> <p>The cost is based on growth that does not exist.</p> <p>Sounds like the student is being counted twice.</p>	<p>Public Meeting – Verbal, by an area resident</p>	<p>Yes</p>	<p>EDC projected students are based on area residential forecasts and pupil yield data. The costs are based on the number of school sites a school board will need to accommodate students arising from projected new residential development. The EDC calculation must take into account any existing available space within Board determined study areas. There can be no double counting of students as each student enrolled by the Board must be taken into account. Enrolment projections are completed separately for the existing community as well as enrolment expected from new residential development.</p> <p>From an EDC perspective every new home built puts a need on the municipality and school board for additional services. From a municipal point of view, services are required. From a school board point of view, a new school would be responding to the need of the development.</p> <p>It was noted that the EDC calculation does not take into account where the students are coming from. The reality is the way population patterns work, is that there is an exodus out of major urban centres resulting in available space in urban schools and growth areas that need new schools.</p> <p>It is noted that the Board does have to account for available space. If students are moving out of existing schools in</p>

<p>Statistics point to people retiring in the new Sandwich South development so there would be no need for a new school.</p> <p>How do you know that if it is based on a projection for a development that doesn't already exist?</p> <p>What formula are you using to come up with that idea?</p>			<p>Windsor to the suburbs the calculation will take into account the available space.</p> <p>We take that into account when we are looking at yields. Our pupil yields are based on area. If that area has a high percentage of seniors or houses that are not expected to produce children our yields take that into consideration.</p> <p>We look at historical to inform what our future needs are going to be. We have an idea of what densities are going to be like. We have an idea of what housing forms are going to be like and the size. We know based on historical practices that typically a family is not going to live in a two bedroom condo and typically senior citizens are not going to live in a 3,000 square foot home. There are areas in Ontario where we are starting to see some of these trends change. Families may be more likely going forward to live in more dense housing types because of housing affordability issues.</p> <p>We use Statistics Canada, census data from 2001, 2006, 2011 and 2016 down to the dissemination area of the neighbourhood.</p>
<p>2. Can trustees decide to raise the EDC on a more gradual scale, rather than the full amount ever year?</p>	<p>Public Meeting – Verbal, by a Trustee</p>	<p>Yes</p>	<p>Yes, as long as the amount does not exceed the \$300 limit. When looking at EDC rates compare to municipal EDC rates, they are a tiny fraction.</p>
<p>3. It was noted that the City has different municipal EDC rates split over three areas of the city. If we were to do that, the argument would be that we are leaving money on the table that we can't collect elsewhere?</p>	<p>Public Meeting – Verbal, by a Trustee</p>	<p>Yes</p>	<p>If trustees exempted something the board would incur revenue loss. If it is an area specific charge it is worked into the calculation. The education land cost that you have to collect doesn't change. The policy would tell us how we are going to collect it. In an area specific charge some areas will pay more and some areas would pay less, but overall will still collect the entire amount. It was noted that right now the bylaw area in existence as of August 31, 2018, City of</p>

			Windsor, County of Essex and Township of Pelee have to remain the same as legislation stands. No changes can be made.
4. How are recent developments captured?	Public Meeting – Verbal, by a Trustee	Yes	Recent developments, shovels in the ground, will be picked up in the projections because those developments have been planned out for many years. When we look at 15 year projections the first few years are imminent development. It is rare that something will pop up that we don't have in our projections. If there is a brand new development application that just went in, our growth forecast may have missed that but the reality is there is a lot of time between the application being received and the actual development happening. Chances are the board would pick the development up in the next by-law. It is important to note that if a development is currently under construction, those units will not be part of the EDC growth forecast. Those units already have building permits issued and the EDC forecast is projecting the number of future building permits/units.
5. Is it possible to rescind the existing by-laws if there were drastic changes?	Public Meeting – Verbal, by a Trustee	Yes	The maximum by-law term is 5 years. If there is a huge development that comes up or a huge economic downturn where we would have to revise the projections at that time we would do a new background study and pass a new bylaw. Nothing prevents the board from revoking a by-law and renewing another by-law anytime before the 5 years.
6. Can you explain why there is such a difference between the EDC charges between the city and the county and how that appears to incentives migration from the city to the county and urban sprawl?	Public Meeting – Verbal, by a Trustee	Yes	There have been a lot of studies on whether government imposed fees have an impact on where development locates. In our opinion, there are way too many other external factors such as economics, choice and population. When comparing all of those other factors we cannot find a relationship between development is being determined by government fees. EDC charges are such a small percentage of government imposed fees when compared to everything else. In my opinion, if the larger development charges are not deterring or swaying development, I don't believe a modest EDC charge is going to have an impact.
7. Are EDCs appealable to the local planning appeal tribunal which suggests	Public Meeting – Verbal, by a Trustee	Yes	The LPAT and formally the OMB appeal process has been in existence since the beginning of the legislation. I don't think it was contemplated in terms of urban sprawl, but more

there is an urban sprawl component to this?			contemplated as a method for the public to be able to appeal a board's by-law should they have some major issue with it. It was not a sprawl versus non sprawl issue.
8. Please explain the difference between the maximum charge of \$682 in the county and \$1455 in the city?	Public Meeting – Verbal, by a Trustee	Yes	The main reason for the discrepancy in EDC rates is that the development in Windsor is contained. There are 5,000 units in the forecast and higher land values. In the County of Essex has more spread out needs and lower land costs with 11,000 units in the forecast – more than double the units in the City.
9. Please explain why there is no new units or elementary growth related pupils in the Kennedy, Walkerville and Westview Freedom Academy family of schools.	Public Meeting – Verbal, by a Trustee	Yes	All growth forecasts are based on the current City of Windsor and County of Essex growth forecasts. We do not develop our own unit forecasts. The City of Windsor provided us with a list of developments that are currently in the developments approval process as well as their locations in the City. According to the City, outside of the South Sandwich development area, most of the development is expected to occur in Board review areas, 8 (Massey Family of Schools), 9 (Riverside Family of Schools) and 11B (Tecumseh(Windsor Portion/South Sandwich)). While there are some developments that occur in close proximity to review area 5 (Kennedy Family of Schools), they are actually in review area 8 (Massey Family of Schools). In addition, there are existing developments under construction in review areas 4 (Herman Family of Schools) and 13 (Westview Freedom Academy Family of Schools) but as mentioned earlier, would not be part of the EDC forecast.
10. There is currently a community improvement plan for the downtown. There are four or five condo complexes with several hundred units in each of them. Are these capture in this report?	Public Meeting – Verbal, by a Trustee	Yes	If they were reported in the city's growth forecast they are captured, if they were not in the forecast they are not captured. See answer 9 for additional details.
11. There is concern that there is growth within the area that is not captured. Not only with new builds but additional secondary units. We are in a housing crisis primarily due to an influx of post-secondary students. Council just passed a by-law change to allow secondary	Public Meeting – Verbal, by a Trustee	Yes	The secondary suites are very recent in terms of provincial legislation and most municipalities across Ontario are in the process of updating growth forecasts to account for what that means for the forecast. In a year or two the city might come out with a new forecast, then the board could see what that means in terms of new pupil places. If it doesn't have an

<p>suites which are not being captured, even though they may not yield us any pupils. This might be something that needs to be looked at.</p>			<p>impact, the board may chose not to open the EDC. If there is a major change the board could renew the by-law at that time.</p>
<p>12. There is a federal election a few months away. Different parties will have different rules around refuges that will affect the amount of people moving to the area. Has that been considered?</p>	<p>Public Meeting – Verbal, by a Trustee</p>	<p>Yes</p>	<p>Changes in government and large scale policy changes usually takes time for us to see the trends. Ultimately, the EDC should be based on recent local residential growth forecasts and those forecasts should be accounting for any significant immigration or settlement patterns.</p>
<p>13. Can we postpone the EDC until after the federal election?</p>	<p>Public Meeting – Verbal, by a Trustee</p>	<p>Yes</p>	<p>If the board postpones the decision to renew, the by-laws will expire.</p>
<p>14. If the school capacity changes because of determine class size, how does that affect EDCs?</p>	<p>Public Meeting – Verbal, by a Trustee</p>	<p>Yes</p>	<p>If the class size increase to 28 and the Ministry makes changes to the Ministry rated OTG capacity the reality is there may be some secondary sites that are no longer required.</p>
<p>15. Was the increased enrolment we experienced this year captured in the report?</p>	<p>Public Meeting – Verbal, by a Trustee</p>	<p>Yes</p>	<p>Yes, October 31, 2018 enrolment data was used in the report and helped inform the enrolment projections.</p>
<p>16. Is it typical for the board to pass the maximum 5 year EDC?</p>	<p>Public Meeting – Verbal, by a Trustee</p>	<p>Yes</p>	<p>Yes, it is typical to pass a five year by-law. There is nothing prohibiting the board from renewing or revoking the by-law between now and the next 5 years. If school boards passed a by-law that is less than five years, boards would either have to amend the bylaw to extend the bylaw term or renew the by-law and go through the EDC renewal process once again.</p>
<p>17. We know we have capacity in some of our schools. Some students coming from two jurisdictions within the board. Is this something other boards deal with – urban and suburb divide and can we mitigate not true growth, transfers.</p>	<p>Public Meeting – Verbal, by a Trustee</p>	<p>Yes</p>	<p>This is outside of the EDC scope – it is a board accommodation issue. Does the board want to build schools where there is need, or as a board practice do you want to tell constituents that you don't want to build new schools, but bus students to available space. We are not dictating where growth is going, the municipalities, the province and markets dictate where growth is going to go. The EDC is just trying to project what the future need will be for the next 15 years. If growth occurs this is how much money you will need to cover the need and if that need happens we have the money to purchase the land. Growth is going to occur no matter what the school board does. EDCs give flexibility to respond. If we don't spend the money, the money goes back.</p>

<p>18. Can the EDCs only be used for new land for growth areas?</p>	<p>Public Meeting – Verbal, by a Trustee</p>	<p>Yes</p>	<p>Correct. EDCs can only be used to purchase land for growth areas.</p>
<p>19. A concern was brought forward that the advertising on the board website was difficult to read.</p>	<p>Public Meeting – Verbal, by a Trustee</p>	<p>Yes</p>	<p>It was noted that our website AODA compliant. Any browser can zoom in on text.</p>
<p>20. Is there any merit to the argument that when you build a new school it is an attractive feature that will drive development in that area?</p>	<p>Public Meeting – Verbal, by a Trustee</p>	<p>Yes</p>	<p>It is more difficult today the way the funding model works. Boards have to use up available space in surrounding schools first. On a go forward basis, subdivisions will be built and occupied before a school is built. The Ministry will want to see enrolment pressure before they give funding for a new school.</p>
<p>21. Considering we do not meet the trigger for growth, I find it strange that the new rate calculations are based on growth figures. I understand that is how it is laid out to do the calculations as per the policy, but to have a surplus of seats then calculate need for new schools based on growth is incongruous. Again, not the fault of those doing the calculations but rather the model itself seems flawed.</p> <p>Also, when I asked where the data came from, the speaker stated "Stats Canada" and mentioned they are current to 2016. However, later, he mentioned that the figures used came from the projections used by the City of Windsor. In light of the questioning of those figures in regards to several other projects (the rezoning of</p>	<p>Written comment received, by an area resident</p>	<p>Yes</p>	<p>There is so much in this question that has nothing to do with anything the Board can do. Perhaps best way to answer is below.</p> <p>The EDC is based on Provincial legislation that determines eligibility and how the rate is calculated.</p> <p>While the Board may not meet the Board-wide enrolment to capacity trigger, this does not mean that the Board does not have localized growth needs through-out the jurisdiction. All EDC eligible identified school sites are only based on projected new residential growth.</p> <p>All surplus/available space, on a review area basis, must be used first before any EDC eligible pupils are identified for new growth.</p> <p>The data comes from various sources. We use Statistics Canada census data to inform our projections and also develop our student yields. The residential forecast is based on municipal and county forecasts.</p> <p>I did not suggest that the City of Windsor had more recent data that they did not consider.</p>

<p>the Sandwich South lands for example) my confidence in the background report calculations lowers. It is suggested that there was more recent data that the City of Windsor did not consider. That error would apply here as well if the same figures were used.</p> <p>Expected new builds include projections for intensification, but those that are exempt are removed before they divide the total cost projected by the number of projected units added. This makes the rate artificially high. Not necessarily bad if you are trying to drive intensification over sprawl when talking about within Windsor only. However, since the EDC's proposed for the county are much lower and the expected developments are not very far from the City of Windsor boundaries, there is concern that the fees would encourage sprawl.</p> <p>In the projection of need for student seats, I don't see where we have assumed an increased student demand due to intensification – only for the non-exempt new builds (sprawl). Sarah mentioned this, they don't seem to anticipate student need increases for the downtown area, when it surely will have an increased need due to the CIP's. Also, I was not clear on how they calculated projected student needs overall. The speaker noted that people do not build 3000 square foot</p>			<p>The rate is not artificially high but rather is the correct rate based on legislation that statutorily requires the Board to exempt certain units that meet certain 'intensification' requirements.</p> <p>Considering the quantum of the proposed EDCs there is little to no evidence to suggest that they will encourage or deter developments in an area.</p> <p>All future residential developments (including intensification) have been taken into account (assuming they were included in local forecasts that were compiled). All projected residential developments have a density and area specific student yield applied to them to derive student projections. While there may be more 'empty nesters' staying in larger homes for longer periods of time and more families living in higher density building forms, the question asker seems to be basing their findings on an observational or anecdotal basis. The data is clear that low density housing forms still have much higher student yields than townhomes and apartments, especially outside of the Greater Toronto Area.</p>
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<p>homes and live there without children. I disagree. In fact, that is exactly what we are seeing - the average income in Windsor/Essex County is lowering. Fewer younger people with growing families can afford high mortgages. Citizens are retiring to suburbs into new homes that don't require immediate up front maintenance or have Home Owner associations and lawn/snow maintenance contracts.</p> <p>They are calculating student demand without correcting for population shift. It was proposed it was not necessary to correct for this because they are talking totals for overall need. A student only needs one seat. If that seat moves to a different school, it is still only one seat. They are counting students twice while not discounting them anywhere. False growth.</p> <p>If you close a school and build a new one due to student distribution but not growth, that new site does not qualify to use EDC reserve funds. This may explain why we are not discounting the moved students.</p> <p>I seek clarification in what the speaker meant when he said if surplus funds were collected and new schools are not needed and not built, the surplus funds would just "go back". Go back where? I understand</p>			<p>The question asker's assertion that student demand is calculated without accounting for population shift is difficult to understand. The enrolment projections do not follow students. Enrolment projections are based on projecting the needs of the existing community (students that currently exist or students coming out of existing homes) and projecting the needs of students arising from new residential development.</p> <p>Students are never counted twice.</p> <p>I don't know what 'false growth' is.</p> <p>I don't know what the question asker means when they say we are discounting the moved students.</p> <p>The EDC reserve fund is self correcting in that every time the by-law is renewed, the balance of the reserve fund is included as part the net education land costs.</p>
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<p>that future EDC's would be lowered or removed due to lack of need to built new schools, however what happens to the reserve funds already collected? How long can the reserves be held?</p> <p>In essence, while I understand how the calculation is designed, I wonder if it is not time for the policy itself to be revised. If the trigger is not growth, there should be a different method of calculation in that case. If the trigger is a deficit caused by past new growth, then the calculation should be based on that deficit and not on false growth figures. Perhaps the policy should changed to allow use of the funds for builds due to change in distribution and not just growth alone.</p>			<p>If the Board has purchased an EDC site that it determines it does not need, the site will be sold and all revenues from the sale must be returned to the EDC reserve fund.</p> <p>Again, the trigger is just for qualification purposes. School needs are always based on need as a result of future residential growth. If the EDC was based purely on the collection of an outstanding deficit there would be no future school needs.</p>
<p>22. I support increased education development charges for new residential construction to finance necessary school land acquisition. However, the proposed EDC bylaws inadvertently jeopardize years of investment and renewal by residents in Windsor's established neighbourhoods. I am therefore asking that the proposed bylaw wording be changed to exempt EDCs in these older neighbourhoods.</p> <p>Under the existing proposal, each new home throughout Windsor will be subjected to a phased-in \$1,455 fee to finance the purchase of land for three new</p>	<p>Written comment received, by an area resident</p>	<p>Yes</p>	<p>Under the current legislative framework, the EDC bylaw must cover the same geographic area that the by-law covered on August 31, 2018.</p>

<p>schools on the outskirts of Windsor in neighbourhoods where population is purportedly anticipated to increase. (A much lower EDC of \$682 in the county further diminishes the appeal of building a new home in one of Windsor's established neighbourhoods.) Yet current data projections do not support a sizeable influx of new residents overall. For the foreseeable future, many of Windsor's existing schools are expected to remain at less than full capacity.</p> <p>What I am suggesting is supported by the principle that only "growth pays for growth." Homeowners investing in older neighbourhoods should not be required to subsidize land acquisition for future greenfield development.</p> <p>Such a policy already exists for municipal development charges (DCs) in Windsor and could easily be replicated by the GECDSB. This policy exempts DCs in the northern section of the city bounded by Prince, Pillette and Tecumseh Roads. See <u>Windsor's Development Charge Pamphlet</u>.</p> <p>People cannot be faulted for wanting to migrate to new areas with updated infrastructure, even if this means leaving gaps in older neighbourhoods. Given a shifting population, rather than one with robust overall growth, the pressure to consolidate older schools is likely to continue, forcing the GECDSB to make difficult – and contentious - decisions. An unfortunate outcome of school</p>			
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<p>consolidations is more bussing and driving, rather than cycling and walking. In this way, the GECDsB tacitly discourages active transportation, at a time when there is great incentive to reduce our collective carbon footprint.</p> <p>Our city's original neighbourhoods were designed for active transportation. Compact urban development is generally recognized to be more responsible and cost-effective. Communities where students can ride their bikes or walk to school are more vibrant and conducive to better long-term health and wellbeing. This is why it is important to continue to encourage homeowners to invest in them.</p> <p>School systems also benefit when people choose to live in established neighbourhoods with existing schools that have room for additional students.</p> <p>The GECDsB has taken a leadership position on this with its policy: <a href="#">P-AD-7</a> encourages students to ride their bikes or walk to school.</p> <p>This is also supported by Provincial Planning Policy, for example, Section 1.6.7.4: <i>A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.</i></p> <p>But people like choices. I recognize that rather than <i>prohibiting</i> development on</p>			
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<p>the outskirts of the city, a more palatable approach is to use EDC pricing structures to <i>encourage</i> outcomes that reflect the intention of planning policies.</p> <p>For this reason, a differentiated EDC structure that exempts fees in the city's older neighbourhoods - and charges a higher one elsewhere - will reflect a more holistic approach to financing the Board's land acquisition needs. This will also continue to encourage responsible investment and renewal in established neighbourhoods where active transportation is not only possible, but already widely used.</p>			
<p>There appears to be some interest in exemptions or differential fees within the two legislated Regions. Is that possible or need two flat fees: one in City of Windsor, one in County of Essex/Township of Pelee?</p>	<p>Written comment received, by a Trustee</p>	<p>Yes</p>	<p>The Board can contemplate exemptions in either Region and exemptions can be limited to just one Region or both. As mentioned in the public meeting, any exemptions that the Board decides to give would result in a loss of EDC revenue and the Board is limited in its ability to make up those shortfalls and should know the risk associated with it.</p> <p>In terms of differentiated rates, you don't have to be consistent between the two legislated Regions. Again, you can have a flat fee in one Region and differentiated in the other etc.</p> <p>Under the current legislative framework it does not allow a board to change geographic areas now, so it has to be same rate across each Region.</p> <p>If the Province changes the Regulation again and revoke that clause, then the board could choose to mimic City of Windsor but not for this proposed EDC By-law, for the City of Windsor.</p>