

OUR MISSION

The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.
We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.

OUR VISION

At Toronto Catholic we transform the world
through witness, faith, innovation and action.



AGENDA ADDENDUM THE REGULAR MEETING OF THE STUDENT ACHIEVEMENT AND WELL BEING, CATHOLIC EDUCATION AND HUMAN RESOURCES COMMITTEE

PUBLIC SESSION

Nancy Crawford, Chair

Angela Kennedy, Vice-Chair

Wednesday, May 2, 2018

7:00 P.M.

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TORONTO CATHOLIC DISTRICT SCHOOL BOARD

DELEGATION REGISTRATION FORM FOR STANDING OR OTHER COMMITTEES

**PLEASE BE ADVISED THAT ALL STANDING
COMMITTEE MEETINGS ARE BEING RECORDED**

For Board Use
Only

Delegation No. _____

☐ Public Session
☐ Private Session
☐ Three (3)
 Minutes

| | | |
|--|---|--|
| Name | Orest Sklierenko | |
| Committee | Student Achievement and Well-Being Catholic Education Human Resources | |
| Date of Presentation | 5/2/2018 | |
| Topic of Presentation | Ukrainian Canadian Heritage Month at the TCDSB | |
| Topic or Issue | Heritage Month designations | |
| Details | The Ukrainian Canadian Community and the Eastern Rite Ukrainian Catholic Church have a 125+ year history in Canada and a 50+ year relationship with the TCDSB. Tonight's delegation represents the three Eastern Rite school communities as well as the Ukrainian Canadian community overall. Our delegation proposes the TCDSB adopt the month of September as Ukrainian Canadian Heritage month at the TCDSB. | |
| Action Requested | The TCDSB proclaims the month of September as Ukrainian Canadian Heritage Month at the board. | |
| I am here as a delegate to speak only on my own behalf | { 1) I am here as a delegation to speak only on my own behalf } | |
| I am an official representative of the Catholic School Parent Committee (CSPC) | | |

| | |
|--|--|
| I am an official representative of student government | |
| I am here as a spokesperson for another group or organization | Yes Ukrainian Canadian Congress, Toronto |
| I have read, understand and agree to comply with the rules for Delegations as per the TCDSB Delegations Policy T.14. | I Agree |
| Submittal Date | 5/1/2018 |
| Telephone | 905-467-8238 |
| E-mail | opko@rogers.com |



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| | | |
|--|--|--|
| Name | Paulina Corpuz | |
| Committee | Student Achievement and Well-Being Catholic Education Human Resources | |
| Date of Presentation | 5/2/2018 | |
| Topic of Presentation | Filipino Heritage Month | |
| Topic or Issue | Why it is important to declare the month of June as Filipino Heritage Month and June 12 as Filipino Day. | |
| Details | It is important to recognize the heritage and the contributions of students of Filipino heritage and Filipino Canadians in general considering that students of Filipino heritage comprised majority of the the student population in the TCDSB. | |
| Action Requested | Declare the month of June as Filipino Heritage Month and June 12 as Filipino Day and celebrate it every year starting June 2018. | |
| | { 1) I am here as a delegation to speak only on my own behalf } | |
| I am an official representative of the Catholic School Parent Committee (CSPC) | | |
| I am an official representative of student government | | |
| I am here as a spokesperson for another group or organization | Yes Filipino Canadian Parents Association in Catholic Education | |
| I have read, understand and agree to comply with the rules for Delegations as per the TCDSB Delegations Policy T.14. | I Agree | |
| Submittal Date | 5/2/2018 | |

FILIPINO HERITAGE MONTH COUNCIL – FHMC
7th Floor, 160 Eglinton Avenue East
Toronto , Ontario M4P 3B5

Mr. Rory McGuckin
Director of Education
Toronto Catholic District School Board
80 Sheppard Avenue East, Toronto, Ontario

April 19, 2018

RE: Declaration of June 12 as *Filipino Heritage Day* and June as *Filipino Heritage Month* at TCDSB

Dear Director R. McGuckin,

Greetings!

The City of Toronto Council in November, 2017 has formally declared June as the "*Filipino Heritage Month*" for the City of Toronto in 2018, and for future years. In its declaration, through the approval of Motion MM34.15, the City Council has recognized the "*Filipino community's rich cultural and social make-up, to its economic and social impact*" to the City of Toronto and which "*will be a much -deserved acknowledgement of the Filipino community and its history.*"

In proclaiming June as "*Filipino Heritage Month*", it coincides with the *Philippines' Independence Day on June 12* and will give Filipino Canadians in Toronto an "*opportunity to learn, celebrate, enjoy and experience the rich heritage and histories of the Filipino Canadian community*". Furthermore, it will provide the City with a chance "*to reflect on the many outstanding contributions Filipino Canadians have made in our society, and in the world*".

To commemorate this auspicious milestone, the Filipino Heritage Month Council (FHMC) has been formed and organized to initiate, lead and support in celebrating the contributions and achievements of Filipino Canadians to Toronto, as well as the rich diversity of the Filipino Canadian culture during this historic and inaugural month in June. The FHMC is composed of interested individuals, professionals, community leaders, and community & business organizations in the Filipino Canadian communities in the GTA. The Group has in its roster 45 leaders, students, youths, professionals, media practitioners, and entrepreneurs affiliated with 30 community-based organizations.

Therefore to enhance the participation at the TCDSB, on behalf of the Filipino Heritage Month Council, we would like to request that the TCDSB consider celebrating the *Filipino Heritage Month* in June with its tens of thousands of Filipino students in our elementary and secondary schools. Specifically, we would like to request the declaration and meaningful celebration of *Filipino Heritage Day* on June 12 at

TCDSB starting this year and every year thereafter to coincide with the annual *Philippine Independence Day celebrations* on June 12. For 2018, it is a landmark 120th commemoration year.

To promote the *Filipino Heritage Day & Month*, we are looking at some ways by which our FHMC and supporters, can collaborate with the TCDSB on various educational and cultural activities within identified high ratio of Filipino heritage students and / or staff at elementary and secondary schools. We are positive that the Philippines' rich cultural heritage and vibrant passion for our Catholic faith would greatly enhance TCDSB's Mission & Vision which hopefully would encourage and engage our Catholic schools especially those with plans to offer in-school events during the month of June and perhaps a Board Mass celebration during the *Filipino Heritage Day* commemoration. These events could be similar in format to those being done or has been done by other multicultural groups during their respective heritage month celebrations.

We pray and will certainly much appreciate your favorable consideration of our request.

Most sincerely,

Tony A. San Juan, OCT
Chairman - FHMC
416-491-2346

CC:

Board of Trustees Chair Barbara Poplawski

Trustee Garry Tanuan

Philippine Consul General Rosalita S. Prospero

May 1, 2018

Board of Trustees
Toronto Catholic District School Board
80 Sheppard Avenue East
North York, Ontario
M2N 6E8

Attention: Ms. Barbara Poplawski, Chair

Dear Sirs/Mesdames:

**Re: Toronto Catholic District School Board
2018 Education Development Charges By-law**

We are the lawyers for Fairbank Self Storage Nominee Corp. ("Fairbank"), the registered owner of the property municipally known as 200 Fairbank Avenue. Our client is also a purchaser under an agreement of purchase and sale in regard to the property located at 1&2 Thora Avenue. Both properties are located in the City of Toronto.

We write to object to the proposed education development charges ("EDCs") by-law that is currently under consideration by the Board. Our principal concerns are twofold:

1. the proposed increase in the non-residential EDC from \$1.07 to \$8.02 per square foot of gross floor area is excessive; and
2. the July 1, 2018 implementation date of the EDC by-law and the increased rate fail to provide a transitional or phase-in period for development applications that were planned and initiated prior to the scheduled enactment of the EDC by-law.

The background facts supporting our objection are summarized below.

Background

Fairbank is in the business of developing self-storage facilities. The operation of this undertaking is recognized by Toronto Economic Development as an incubator for small businesses in Toronto.

Fairbank acquired ownership of 200 Fairbank Avenue on November 10, 2016. This is an industrial property that has been derelict for four years following a major fire that destroyed the building and the business operating therein.

On November 3, 2017, Fairbank submitted an application for site plan approval to the City of Toronto in regard to 200 Fairbank Avenue. The application seeks approval of a self storage facility of approximately 258,000 square feet together with flex office space. The City has not yet issued its Notice of Approval Conditions in respect of the site plan application, although such Notice is expected shortly. At the time Fairbank purchased 200 Fairbank Avenue, the applicable non-residential EDC was \$1.07 per square foot of gross floor area.

Fairbank entered into an agreement of purchase of sale to acquire 1&2 Thora Avenue on December 6, 2017. Since the early 1900s this site has operated as a salvage or junk yard and has been a blight on the area. The intended development of this property contemplates a self-storage facility of 126,000 square feet. City staff are very much encouraged that the proposed development will rejuvenate and foster redevelopment in the area. Fairbank has submitted to the Committee of Adjustment an application for a minor variance which is required to facilitate the self-storage development. The Committee is scheduled to hear the application on May 30, 2018.

Fairbank developed its pro formas/business plans for 200 Fairbank Avenue and 1&2 Thora Avenue anticipating a non-residential EDC of \$1.07 per square of gross floor area, or such reasonably greater rate that accounts for the increase in land values experienced in the City of Toronto since July 1, 2015 (the Board implemented the rate of \$1.07 effective July 1, 2015 by way of an amendment to its 2013 EDC by-law).

Objections

1. Land Values

A fundamental criteria in the calculation of an EDC is the market value of the land that a school board intends to acquire (during the prescribed fifteen year planning horizon that follows the coming into force of an EDC by-law) for the purpose of providing elementary and secondary pupil accommodation. While we acknowledge that land values have appreciated significantly in the City of Toronto since the Board passed the 2015 amendment to the 2013 by-law, such values have not increased at a rate that even approaches an eight-fold increase (\$1.07 to \$8.02 per square foot). Based on a review from a number of reliable third party sources, property values have increased by only a fraction of the increase contemplated by this change in the EDC rates.

In light of this discrepancy, we request that Board staff and consultants revisit the land values that purport to underlie the projected \$8.02 non-residential EDC with a view to achieving a more realistic rate that is reflective of recent market conditions.

2. Transition/Phase-In

The proposed increase in the non-residential EDC from \$1.07 to \$8.02 per square foot is extreme by any objective standard. Such greater rate will increase the EDCs on 200 Fairbank Avenue significantly, taking them from \$105,000 to \$791,000 and in the case of 1&2 Thora Avenue from \$134,000 to \$810,000 (after accounting for available demolition credits).

Developments such as these require significant commitments of capital, along with extensive and protracted planning with local municipal authorities, ward councilors, neighbourhood groups, contractors, partners and lenders. Fairbank officials could not reasonably have anticipated an immediate eight-fold increase in the EDCs as an additional burden when they were developing the business plans for these two projects. Countless other landowners and developers are no doubt in the same position.

Given the magnitude of the proposed increase in the non-residential EDC, we request that the Board incorporate into the EDC by-law a transitional provision that would grandfather concrete development applications that were planned and initiated prior to July 1, 2018. As an alternative, and at a minimum, we submit that the EDC by-law ought to provide for staggered non-residential EDC rates that are phased-in over the five-year term of the by-law, with the bulk of

the increases being implemented in years three, four and five, in order to avoid frustrating development proposals that were devised prior to the enactment of the EDC by-law.

Thank you for your consideration.

Yours truly,
Overland LLP

Chris Tanzola

Per: Christopher J. Tanzola
Partner

c. Client

May 1, 2018

VIA EMAIL

Toronto Catholic District School Board
80 Sheppard Avenue East
Toronto, ON
M2N 6E8

Attention: Ms. Sophia Harris, Board Recording Secretary

Denise Baker
Partner
T: 416-947-5090
dbaker@weirfoulds.com

File 16067.00017

Dear Chair and Board of Trustees:

RE: Education Development Charges – Policy Review Public Meeting, May 2, 2018

We are solicitors for the Building Industry and Land Development Association ("BILD") regarding their interest in the Toronto Catholic District School Board's (TCDSB) proposed Education Development Charge ("EDC") By-law.

To date we have reviewed the proposed EDC Background Study that has been posted on the Board's website and have a number of significant concerns with respect to the methodology used and the interpretation of the *Education Act*, R.S.O. 1990, c. E.2, (the "Act") and the associated Regulations by School Board staff and their consultant. Additionally we have significant concerns that, unlike the usual practice with School Boards, the Land Appraisal Report upon which assumptions in the EDC Background Study rely, has not been made available to the public.

BACKGROUND

By way of background, BILD has historically and is currently involved in EDC reviews with a number of School Boards throughout the GTA. The TCDSB is the only School Board that is advancing the methodology that is used in this proposed EDC Background Study and is the only School Board that is choosing to interpret the legislation in a manner which, in our respectful opinion, is contrary to the wording of the legislation itself. We respectfully request that the

Trustees direct staff and their consultant to reconsider their proposed methodology within the EDC Background Study.

PRIMARY CONCERNS

There are three key methodological approaches in the 2018 EDC Study that are, in our opinion, not consistent with the Act:

- The process by which each elementary and secondary review areas have been divided into two parts – one part that includes schools in areas “not impacted by growth” (“low growth” areas), and another for schools in areas that are impacted by growth (“high growth” areas). In determining the school site needs for a particular review area, the approach taken ignores capacity available in “low growth” area schools in a given review area. This approach, rather than utilize available capacity, would see new schools built, while the ‘low growth’ area schools remain underutilized.
- The EDC regulations are clear that only pupils generated by new housing units are to be factored into EDC calculations. However, the EDC Background Study takes existing pupil overages at ‘oversubscribed’ schools, and adds these existing pupils to the new pupils generated by new development over the 15-year forecast horizon in quantifying the number of proposed new school sites.
- Finally the EDC Background Study ignores the capacity available at leased school facilities in determining the need for additional school sites. The EDC Guidelines, prepared by the Ministry of Education, make it clear that space in leased schools is to be accounted for in EDC calculations.

Each of these approaches has the effect of dramatically inflating the calculated EDC rate beyond what, in our opinion, is warranted under the Act.

Finally, we request that staff and the consultants be directed by the School Board to released information that has been relied upon in coming to the conclusions in the proposed EDC Background Study. We have requested the following information:

- Agreements as it relates to 74 Wellesley Street West

- Detailed information on Site Preparation Costs, broken down by type of expenditure
- Detailed information on Study Costs
- A copy of the Land Appraisal Report
- Lease agreements with TDSB for secondary schools (the "Bill 30" schools)

We fairly acknowledge that we made the request for information on April 26, 2018 at our meeting with staff and their consultants, and that staff likely need additional time to compile the information. However we request to be provided with this information forthwith due to the compressed timeframe by which the Board is considering the proposed EDC By-law. Given that this information was used as source material for the EDC Background Study, staff should have the information readily available.

CONCLUSION

BILD has a strong track record of having their concerns resolved as it relates to proposed EDC By-laws in numerous jurisdictions throughout the GTA, through open dialogue and the sharing of information. It is our hope that the same process will unfold in this EDC review.

Please do not hesitate to contact the undersigned if you have any questions or concerns.

Yours truly,

WeirFoulds LLP



Denise Baker

DB/mw

cc Client