



Office of the Director of Education

June 28, 2018

Dear Deputy Minister Rodrigues,

I am writing on behalf of Toronto Catholic District School Board (TCDSB) with respect to the Education Development Charges (EDC) Background Study dated April 17, 2018 that was submitted to the Ministry of Education.

The Board has followed the process required under the Education Act and regulations as summarized in the Staff report posted on June 5, 2018 in advance of the June 14, 2018 Board meeting. However, it has been unable to proceed to put a new Education Development Charges By-law in place because it has yet to receive the required Ministry approval of the estimates of new pupils and school site requirements.

You have advised that the Ministry will not provide that approval unless the Board agrees to enact a By-law for a one year period at the rates in place under the EDC By-law, which expires on June 30, 2018. Respectfully, the TCDSB holds the view that there is no legal entitlement on the part of the ministry to require a one-year By-law as a condition of the technical approvals sought in connection with the Background study which has been submitted. However, it appears that if the Board fails to make this commitment, the Ministry approval will not be issued in a timely manner, which will result in a prolonged time period in which no development charges can be collected.

In these circumstances, the Board is requesting approval of its estimates of new pupils and school site requirements, which are contained in the background study referred to above, in accordance with O. Reg. 20/98 (Education Development Charges – General) made under the *Education Act*, so it can enact a one year By-law at existing rate of \$1,493 per dwelling unit and \$1.07 per square foot of gross floor area for residential and non-residential developments, respectively. We understand that as consequence of making this commitment, we will receive, in 24 hours, a letter delivering the required approvals that we can take to the Trustees when they consider the one year by-law in the following 24 hours.

We look forward to working with the Ministry to facilitate the passing of a new By-law as soon as possible so that the TCDSB can move forward with clarity and certainty in the future. We note

that the longer we proceed at the lower rate, the higher the rate will be for the balance of the five year period addressed in the Background Study. It is understood that the Board reserves the right to bring forward a new EDC By-law in accordance with the existing or alternative background study at any time within the next year and again seek the technical approvals required under regulation 20/98. In the meantime, it will adjourn its Application for Judicial Review returnable on Friday, June 29, 2018.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. McGuckin", followed by a horizontal flourish.

Rory McGuckin
Director of Education, TCDSB

cc: Barbara Poplawski, Chair of the Board