



**TORONTO CATHOLIC DISTRICT SCHOOL BOARD
EDUCATION DEVELOPMENT CHARGES AMENDING BY-LAW, 2019-2019**

**A by-law to amend the
Toronto Catholic District School Board Education Development Charges By-
law, 2018 No. 191**

WHEREAS Section 257.70 of the Education Act, R.S.O. 1990, c. E.2 (the "Act") provides that a district school board may pass a by-law amending an education development charge by-law;

WHEREAS the Toronto Catholic District School Board (the "Board") passed the Toronto Catholic District School Board Education Development Charges By-law 2018 No, 191 on November 15, 2018 (the "2018 By-law");

WHEREAS the Board wishes to amend the 2018 By-law to increase the education development charges payable thereunder consistent with the legislative provisions established by O. Reg. 55/19 and adopted by the Province of Ontario on March 29, 2019;

AND WHEREAS the Board wishes to amend certain definitions in the 2018 By-law to provide additional clarity and consistency with the development charges by-law in force in the City of Toronto including an exemption from development charges for places of worship;

AND WHEREAS the Board has given notice of the proposed amendment to the 2018 By-law in accordance with the regulations made pursuant to the Act, has ensured that the education development charge background study for the 2018 By-law dated April 17, 2018 and amended on October 1, 2018, as well as sufficient information to allow the public to understand the proposed amendment have been made available to the public, and has held a public meeting on April 24, 2019;

**NOW THEREFORE THE TORONTO CATHOLIC DISTRICT SCHOOL BOARD
HEREBY ENACTS AS FOLLOWS:**

1. Section 1 of the 2018 By-law is hereby amended as follows:
 - (a) “Act” means the Education Act,
 - (b) “area of the by-law” means the City of Toronto resulting from the amalgamation effected on January 1, 1998 under the City of Toronto Act, 1997 S.O. 1997, c.2;
 - (c) “Board” means the Toronto Catholic District School Board;
 - (d) “development” means any activity or proposed activity in respect of land that requires one or more of the actions referred to in Sections 5 and 6 of this by-law, and includes redevelopment, expansion, extension or alteration, or any two or more of them, of a use, building or structure, except interior alternations to an existing building or structure which do not intensify the use of the building;
 - (e) “dwelling unit” means a room or suite of rooms used, or designed or intended for use by one person or persons living together in which culinary and sanitary facilities are provided for the exclusive use of such person or persons, and shall include, but is not limited to, a dwelling unit or units in an apartment, a secondary dwelling unit, **a purpose-built rental unit**, group home, mobile home, duplex, triplex, semi-detached dwelling, single detached dwelling, stacked townhouse and townhouse;
 - (f) “education development charge” means charges imposed pursuant to this by-law in accordance with the Act;

- (g) “education land costs” means costs incurred or proposed to be incurred by the Board,
- (i) to acquire land or an interest in land, including a leasehold interest, to be used by the Board to provide pupil accommodation;
 - (ii) to provide services to the land or otherwise prepare the site so that a building or buildings may be built on the land to provide pupil accommodation;
 - (iii) to prepare and distribute education development charge background studies as required under the Act;
 - (iv) as interest on money borrowed to pay for costs described in paragraphs (i) and (ii); and
 - (v) to undertake studies in connection with an acquisition referred to in paragraph (i).
- (h) “existing industrial building” means a building used for or in connection with,
- (i) manufacturing, producing, processing, storing or distributing something,
 - (ii) research or development in connection with manufacturing, producing or processing something,
 - (iii) retail sales by a manufacturer, producer or processor of something they manufactured, produced, if the retail sales are at the site

where the manufacturing, production or processing takes place,

(iv) office or administrative purposes, if they are,

(A) carried out with respect to manufacturing, producing, processing, storage or distributing of something, and

(B) in or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution;

(i) “gross floor area” means the total floor area, measured between the outside of exterior walls or between the outside of exterior walls and the centre line of party walls dividing the building from another building, of all floors above the average level of finished ground adjoining the building at its exterior walls and, for the purpose of this definition, the non-residential portion of a mixed-use building is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure;

(j) “local board” means a local board as defined in the Municipal Affairs Act, other than a district school board;

(k) “mixed use” means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential uses;

(l) “non-residential use” means lands, buildings or structures or portions

thereof used, or designed or intended for all uses other than residential use, and includes, but is not limited to, an office, retail, industrial or institutional use **inclusive of lands dedicated to mechanical space, loading facilities, and parking accessory to the principal use;**

(m) “purpose-built rental unit” means a dwelling unit that is providing rental accommodation and that has been approved by the City of Toronto’s Affordable Housing Office as having qualified for a rebate under the City of Toronto’s Purpose-Built Rental Development Charges Rebate Program;

~~(m)~~(n) “residential development” means lands, buildings or structures developed or to be developed for residential use;

~~(n)~~(o) “residential use” means lands, buildings or structures used, or designed or intended for use as a dwelling unit or units, and shall include a residential use accessory to a non-residential use and the residential component of a mixed use or of an agricultural use.

~~(o)~~(p) “secondary dwelling unit” means a dwelling unit, whether contained within a single detached dwelling or a semi-detached dwelling, or ancillary to a single detached dwelling or a semi-detached dwelling, or ancillary to a single detached dwelling or a semi-detached dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, which:

- (i) comprises an area less than the gross floor area of the primary dwelling unit; and
- (ii) is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.

2. Section 4 of the 2018 By-law is hereby amended as follows:

- (a) Subject to section 4(b), this by-law applies to all lands in the area of the by-law;
- (b) This by-law shall not apply to lands that are owned by and are used for the purpose of:
 - (i) a municipality or a local board thereof;
 - (ii) a district school board;
 - (iii) a public hospital receiving aid under the *Public Hospitals Act*;
 - (iv) a publicly-funded university, community college or a college of applied arts and technology established under the *Ministry of Colleges and Universities Act*, or a predecessor statute;
 - (v) **Metrolinx**~~The Toronto Area Transit Operating Authority ("GO Transit")~~;
 - (vi) a cemetery or burying ground that is exempt from taxation under section 3 of the *Assessment Act*;
 - (vii) non-residential uses permitted under s. 39 of the *Planning Act*;
 - (viii) **lands as described in Schedules A and B to the Development Levy Agreement – Railway Lands Central and West made as for October 21, 1994 to the extent as provided in that agreement and pursuant to Section 6 of O. Reg. 20/98 Education**

Development Charges.

3. Section 8 of the 2018 By-law is hereby repealed and replaced with the following:

Subject to the provisions of this by-law, the Board hereby imposes an education development charge per dwelling unit upon the designated categories of residential development and the designated residential uses of lands, 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:

Year 1	May 1, 2019	to	May 30, 2019	\$1,493.00*
	June 1, 2019		April 30, 2020	\$1,793.00
Year 2	May 1, 2020	to	April 30, 2021	\$2,093.00
Year 3	May 1, 2021	to	April 30, 2022	\$2,393.00
Year 4	May 1, 2022	to	April 30, 2023	\$2,693.00
Year 5	May 1, 2023	to	December 2, 2023	\$2,993.00

**Note: rate of the charge remains unchanged in May 2019 from the existing rate in EDC By-law 2018 no. 191*

4. Section 11 of the 2018 By-law is hereby repealed and replaced with the following:

Subject to the provisions of this By-law, The Board hereby imposes an education development charge per square foot of gross floor area of non-residential development 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 non-residential floor area shall be in the following amounts for the periods set out below:

Year 1	May 1, 2019	to	May 30, 2019	\$1.07**
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	June 1, 2019		April 30, 2020	\$1.12
Year 2	May 1, 2020	to	April 30, 2021	\$1.18
Year 3	May 1, 2021	to	April 30, 2022	\$1.24
Year 4	May 1, 2022	to	April 30, 2023	\$1.30
Year 5	May 1, 2023	to	December 2, 2023	\$1.37

*** Note: rate of the charge remains unchanged in May 2019 from the existing rate in EDC By-law 2018 no. 191*

5. For greater certainty, the 2018 By-law No. 191 remains in full force and effect subject only to the amendments thereto described in Sections 1 to 4 of this amending by-law.
6. This amending by-law shall come into force on May 1, 2019.

ENACTED AND PASSED this 24th day of April, 2019

Chair

Director of Education and Secretary