



REPORT TO

REGULAR BOARD

# AMENDMENT TO TCDSB EDC BYLAW NO. 195 EXEMPTION OF INDIGENOUS-LED AND CITY SUPPORTED AFFORDABLE HOUSING UNITS

*“As for yourself, you shall go to your ancestors in peace; you shall be buried in a good old age.” Genesis 15:15*

Drafted	Meeting Date
February 12, 2024	February 15, 2024
B. Leporati, Sr. Coordinator, Planning Services E. Pallotta, Sr. Coordinator, Development Services M Loberto, Superintendent, Planning and Development Services	
<b>RECOMMENDATION REPORT</b>	

**Vision:** *IN GOD’S IMAGE: Growing in Knowledge, with Justice and Hope.*

**Mission:** *Nurturing the faith development and academic excellence of our Catholic learning community through the love of God, neighbour, and self.*



Brendan Browne  
Director of Education

Adrian Della Mora  
Associate Director of Academic Affairs & Chief Operating Officer

Derek Boyce  
Associate Director of Corporate Services and Chief Commercial Officer

Ryan Putnam  
Chief Financial Officer and Treasurer

## A. EXECUTIVE SUMMARY

This report recommends that the Board initiate an amendment to Toronto Catholic District School Board (TCDSB) Education Development Charges Bylaw No. 195 to include an exemption for Indigenous-led and City of Toronto supported affordable housing units. The proposed exemption would solely apply to residential units, with respect to Indigenous led affordable housing projects, for which Toronto City Council has approved a waiver of development charges, including the project at 537 Broadview Avenue which creates 12 new affordable rental dwellings for Indigenous persons.

The Board's EDC Bylaw, which was approved on November 27, 2023, includes a statutory exemption for non-residential developments for Indigenous-led initiatives related to provincially funded post-secondary education and training. An exemption for affordable residential units supported by the City builds upon this existing statutory exemption to allow the Board to support Indigenous-led affordable housing projects.

As highlighted during the EDC Bylaw renewal process, a bylaw amendment is required under legislation to provide an additional discretionary exemption to EDC charges.

## B. BACKGROUND

1. ***On November 27, 2023, the Board of Trustees approved TCDSB EDC Bylaw No. 195.*** The Bylaw, which has a 5-year term, came into effect on December 3, 2023. The Board's EDC Bylaw includes statutorily required exemptions for residential and non-residential developments.
2. ***The TCDSB EDC Bylaw includes a statutory non-residential exemption for Indigenous Institutes related to spaces for post-secondary education training.*** This exemption, which came into effect through the November 2019 amendments to *Ontario Regulation 20/98*, applies to projects in which the owner is an Indigenous Institute prescribed for the purposes of Section 6 of the *Indigenous Institutes Act, 2017*. The intent of the legislation is to support Indigenous groups seeking to construct non-residential space related to post-secondary education and training and the provincial government is providing operating funding for the enterprise.

There is no statutory exemption in the *Education Act* nor in the TCDSB's EDC Bylaw for Indigenous-led residential projects.

3. ***To assist in advancing its commitment to truth, justice, and reconciliation with Indigenous peoples, the City of Toronto provides funding support to facilitate Indigenous-led affordable housing projects.*** The City allocates approximately 20% of its housing development funding programs to support

Indigenous-led housing initiatives through its Open Door and Multi-Unit Residential Acquisition programs. The financial incentives through the Open Door Affordable Housing Program include relief from planning application and building permit fees, as well as the waiver of parkland dedication fees and development charges through City Council approval.

In addition, the City has partnered with the Miziwe Biik Development Corporation (MBDC) to further the development of affordable rental homes for the Indigenous community by Indigenous organizations. MBDC was established by Miziwe Biik Aboriginal Employment and Training.

4. ***On February 6, 2024, Toronto City Council approved an exemption from development charges and parkland dedication fees for an Indigenous-led project at 537 Broadview Avenue, which will create 12 new affordable rental housing units.*** The project is being developed by Na-Me-Res (Native Men's residence), an Indigenous non-profit housing provider, who approached the TCDSB with respect to relief from the EDCs payable for this project.

## **C. EVIDENCE/RESEARCH/ANALYSIS**

1. ***Under the statutory framework governing EDCs, an amendment to an existing bylaw is required to provide additional discretionary exemptions for certain types of projects.***
2. ***Given the existing non-residential exemption in the EDC Bylaw, staff recommend initiating an amendment to TCDSB EDC Bylaw No. 195 to provide an exemption for Indigenous-led affordable housing units.*** The proposed exemption would solely apply to residential units for which Toronto City Council has approved a waiver of development charges. An exemption for affordable residential units supported by the City, is consistent with the intent of past decisions of this Board and aligns with the existing statutory exemption to support Indigenous-led initiatives.
3. ***In the event that the EDC Bylaw amendment is approved, Board staff will work with the City to ensure that all projects eligible for exemptions, including 537 Broadview Avenue, are captured.***

## **D. STAFF RECOMMENDATION**

That the Board approve the initiation of an amendment to TCDSB Education Development Charges Bylaw No. 195 to add an exemption for Indigenous-led and City supported affordable housing units that have received a Toronto City Council approved waiver of development charges, including the aforementioned Na-Me-Res project at

537 Broadview Ave, and that the TCDSB Education Development Charges Bylaw No. 195 amendment be brought to the March 20 2024 meeting of the Corporate Services Committee for approval.