

June 10, 2015

Chair and Members of the Board
Toronto Catholic District School Board
80 Sheppard Avenue East
Toronto, Ontario
M2N 6E8

Re: *Amendment to the Education Development Charges by-law*

The Building Industry and Land Development Association (BILD) is in receipt of the agenda for the June 11th Toronto Catholic District School Board meeting, and we offer you the following commentary in response to items 9 a) and 12 a) regarding the board's Education Development Charges By-law.

Firstly, we would like to take this opportunity to sincerely thank the board for its May 21st decision to defer this matter to allow for consultation with BILD representatives. We strongly believe that consultation is a critical element to fostering transparency and accountability with our partners.

Over the past few weeks, BILD's consultant team, which includes Lyn Townsend of WeirFoulds LLP and Daryl Keleher of Altus Group, expedited a thorough and comprehensive review of the proposed amendment to the by-law. The group met with TCDSB staff on June 5th and traded correspondence on the matter. As a result of this review, we understand that staff will continue to seek adoption for the removal of the transition provisions, we also understand that the residential rates are proposed to change to \$1,493 per unit and the non-residential rate is proposed to change to \$1.07/ft².

As a point of clarification, we understand that the board asked staff and their consultant to calculate the total funds that would be collected, if the current phase-in rates were rescinded and the board moved directly to the 2013 calculated charge. This difference was expressed as approximately \$34 million in the previous staff report. This is a misrepresentation to the board trustees of the potential lost revenue due to the phase-in provisions that were negotiated during the 2013 by-law review. The lost revenue calculation should have accounted for the adopted phase-in increases in each proceeding year. Taking this into account the estimated lost revenue would be approximately \$9.5 million.

Notwithstanding the aforementioned, we can now say with certainty that subject to the minor refinements that are proposed, we do not have any major technical issues with the proposed amendment. However, BILD does remain in opposition of the removal of the transition provisions that were negotiated during the 2013 by-law review and the manner by which it was first presented to you – in the absence of industry consultation.

We would like to ensure an open dialogue for any future reviews that may be of interest to our members. The Board and BILD have always had productive consultation meetings and we would like to ensure this attention in the future.

Cc: Angelo Sangiorgio, Toronto Catholic District School Board
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