



Halton
District
School
Board

HDSB Proposed EDC Amendment 2019

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Education Development Charge Amendments

Section 257.70(1) Subject to subsection (2), a board may pass a bylaw amending an education development charge bylaw.

Limitation

(2) A board may not amend an education development charge bylaw so as to do any of the following more than once in the one-year period immediately following the coming into force of the bylaw or in any succeeding one-year period:

1. Increase the amount of an education development charge that will be payable in any particular case.
2. Remove, or reduce the scope of, an exemption
3. Extend the term of the bylaw. 1997, c. 31, s. 113(5)

What Are The Existing Charges & How Are They Applied?

The Halton District School Board (HDSB) has an existing EDC by-law that covers the Region of Halton.

- **The existing residential rate is \$4,364 per unit and the non-residential rate is \$1.11 per square foot on gross floor area.**

The charge is allocated 85% to residential and 15% to non-residential.

The existing by-law has a maximum term of 1 year and expires on July 3, 2019.

Why Does The Board Need To Amend The EDC?

No MOE EDC
Background
Study Approvals
in Spring 2018

HDSB 2013 EDC
By-law Expired
June 24, 2018

New Provincial
Government
Provides HDSB
with Conditional
Approval

1 Year Maximum
By-law at
Existing Rates

On October 12, 2018 The Minister of Education enacted O.Reg 438/18 which effectively froze EDCs at the rates that were in effect on August 31, 2018.

March 29, 2019: O.Reg 20/98 Amended Again

- On March 29, 2019 the Ontario Government further amended the EDC legislation.
- Ontario Regulation 55/19 amended Ontario Regulation 20/98
- *The most recent amendment essentially lifts the EDC rate freeze by implementing a provisional phase-in of proposed EDC rates.*
- In year 1, the existing EDC rate could be increased by \$300 or 5% of the existing EDC rate, whichever is greater. Similarly, the non-residential rate could be increased by 5%
- In the second year of the by-law and in each subsequent year, the rate could be increased by another \$300 or 5% of the previous year's EDC rate, whichever is greater. The non-residential rate could be increased by 5% of the previous year's rate.

Proposed Phase-In of EDC Rates

Halton District School Board Proposed Phase-In Rates						
	Existing Rate	May 20, 2019 – July 3, 2020	July 4, 2019 – July 3, 2020	July 4, 2020 – July 3, 2021	July 4, 2021 – July 3, 2022	July 4, 2022 – July 3, 2023
HDSB - RES	\$4,364	\$4,664	\$4,892	\$4,892	\$4,892	\$4,892
HDSB - NONRES	\$1.11	\$1.11	\$1.11	\$1.11	\$1.11	\$1.11

The Proposed EDC Amendment Would Also Increase The Term of the By-law to the Maximum 5 Years.

Notifications

Ontario Regulation 20/98 requires that a board seeking to amend its EDC by-law give notice of the proposed amendment to the following:

- (a) every person and organization that has given the secretary of the board a written request for notice of any amendments to the EDC by-law and has provided a return address.
- (b) the clerk of every municipality having jurisdiction within the area to which the EDC by-law applies – this includes the Region; and
- (c) the secretary of every school board having jurisdiction within the area to which the EDC by-law applies.

Notifications

Notice must be given by mail, fax or personal service for those identified in clause (a). *BILD has been faxed the notice as well as a letter has been mailed advising of the proposed amendments;*

The notice to a person described in clauses (b) and (c) above must be given by mail, fax or personal service or by publication in a newspaper that has general circulation in the area to which the EDC by-laws apply, i.e. the Region of Halton. *Notice of the Proposed Amendments to the EDC By-Law were published in the local Metroland newspapers on April 25, 2019 . As well all of the persons were sent the notification via e-mail.*

Next Steps & Important Dates

- Recommend enactment of an amending EDC by-law on May 15, 2019
- If an amending by-law is passed on May 15, 2019, it would come into force 5 days later and collection would begin on Tuesday May 21, 2019. (Municipal offices are closed May 20th for Victoria Day).
- As well, the amending by-law would allow for a second residential rate increase effective July 4, 2019 as part of the phase in process.
- The July 4, 2019 would bring the residential rate to what was suppose to have been implemented in June 2018.

QUESTIONS?