

**DRAFT EDUCATION DEVELOPMENT CHARGES BY-LAW –
FOR RECOMMENDATION MEMORANDUM – APPENDIX 4**

DATED: APRIL 16, 2019

**GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD
BY-LAW NO. ●**

**Being a By-law for the imposition of
Education Development Charges, for the County of Essex and Township of Pelee**

WHEREAS section 257.54 (1) of the *Education Act* provides that a district school board may pass by-laws for the imposition of education development charges against land in its area of jurisdiction undergoing residential development if there is residential development in the area of jurisdiction of the district school board that would increase education land costs and the residential development requires one or more of the actions identified in section 257.54(2) of the *Education Act*;

AND WHEREAS the Greater Essex County District School Board has referred to the Minister of Education the following estimates for approval:

- (i) the total number of new school pupils; and
- (ii) the number of school sites used to determine the net education land costs;

contained within the education development charges background study, which estimates the Minister of Education approved on April ●, 2019 in accordance with paragraph 1 of section 10 of Ontario Regulation 20/98 of the *Education Act*;

AND WHEREAS the Greater Essex County District School Board has satisfied the conditions prescri^{ti}tion Act

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- (r) “residential development” means lands, buildings or structures designed, occupied or intended to be occupied for residential use.
 - (s) “residential use” means lands, buildings or structures designed, occupied or intended to be occupied as a dwelling unit(s), and shall include a residential use accessory to a non-residential use and the residential use component of a mixed-use or of an agricultural use;
2. In this by-law,
- (a) where reference is made to a statute or a section of a statute such reference is deemed to be a reference to any successor statute or section;
 - (b) Where required by the context of this by-law, words in the singular include the plural and vice-versa.

Lands Affected

3. (1) Subject to section 3(2), this by-law applies to all lands in the geographic area of the Municipality.
- (2) This by-law shall not apply to lands that are owned by and are used for the purposes of:
- (i) a municipality or a local board thereof;
 - (ii) a board as defined in section 257.53(1) of the Act;
 - (iii) a public hospital receiving aid under the *Public Hospitals Act*, R.S.O. 1990, c. P.40;

Approvals for Development

4. (1) In accordance with section 257.54(2) of the Act, Education development charges shall be imposed against all lands, buildings or structures undergoing residential development if the development requires one or more of the following:
- (a) the passing of a zoning by-law or of an amendment thereto under section 34 of the *Planning Act*;
 - (b) the approval of a minor variance under section 45 of the *Planning Act*;
 - (c) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;

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(d)

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