



quadrant advisory  
group limited

## Conseil des écoles publiques de l'Est de l'Ontario

Education Development Charges Background  
Study for the United Counties of Leeds and  
Grenville (portions thereof), County of Lennox and  
Addington (portions thereof), City of Kingston,  
South Frontenac Township, and the Frontenac  
Islands

Date: February 24, 2021



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## FOREWORD

Education development charges (EDCs) are charges which may be levied by a school board on residential, industrial, commercial and institutional development (or just residential development if the board chooses to do so). The charges relate to the net education land cost of providing additional land (school sites and/or site development costs) for growth-related pupils – pupils generated by the construction and occupation of new homes over the next 15 years.

This document fulfills section 257.61 of the *Education Act* which states “before passing an education development charge by-law, the board shall complete an Education Development Charges (EDC) background study”. The Conseil des écoles publiques de l'Est de l'Ontario (CEPEO) is seeking to expand its educational services through the creation of an additional Kingston elementary school to be located on the west side of Kingston, and in close proximity to the new secondary school being constructed at 1290 Wheathill St. The expansion of CEPEO educational services in Kingston offers opportunities for students generated by new housing development in the following proposed by-law areas (called ‘regions’ in the legislation), easier access to CEPEO school facilities, should they choose to attend CEPEO schools.

1. *EDC By-law #1*: portion of United Counties of Leeds and Grenville which includes Town of Gananoque, the Township of Leeds and The Thousand Islands, the Township of Rideau Lakes (except South Elmsley); and the Town of Westport
2. *EDC By-law #2*: City of Kingston, the South Frontenac and the Frontenac Islands portion of the County of Frontenac (*Education Act* refers to as the Frontenac Management Board (as of January 7, 1997)
3. *EDC By-law #3*: the portion of Lennox and Addington County that includes the Town of Greater Napanee, the Township of Loyalist including Amherst Island and the Township of Stone Mills south of Highway 7

The three (3) regions defined above are consistent with the geographic limits of the current Kingston catchment areas for CEPEO schools. That is, there are students residing within each of the by-law areas delineated above, who have, and continue to attend CEPEO schools in Kingston, despite the transportation distances.

Section 19 of O. Reg. 20/98 (as amended) requires the adoption of separate EDC by-laws where the “area of the jurisdiction of a board is divided into regions”. This report includes a copy of the proposed EDC by-laws which designate the categories of residential development, as well as the uses of land, buildings and structures on which EDCs shall be imposed, in specifying the areas in which the established charges are to be imposed (i.e. the ‘regions’, or portions of ‘regions’ to which the by-laws would apply).

On November 8, 2019 the Province enacted O. Reg. 371/19 enabling EDC boards to increase residential rates by the greater of \$300 or 5% per annum provided that these ‘capped’ rates do not exceed the ‘calculated’ rates determined in this report. As such, the initial EDC by-laws proposed to support additional CEPEO enrolment growth arising from new housing development cannot exceed \$300 per dwelling unit during the first year of the by-laws.

As this is first EDC by-law to be adopted by the CEPEO in the Kingston area, there is no requirement to undertake a ‘Review of Existing EDC Policies’ pursuant to section 257.60 of the *Education Act*.

## ACKNOWLEDGEMENTS

The consultants wish to acknowledge, with appreciation, the efforts of the school board staff in providing invaluable assistance throughout the study process.

Further, the consultants wish to acknowledge the land valuation services of Michael Cotman, AACI, PApp - M.W. Cotman & Associates Inc., Real Estate Appraisers and Consultants, as well as the assistance of Mr. Tim Uyl, Vice President of Paradigm Shift Technology Group Inc. (PSTGI) for his company's assistance in the development of the student enrolment projections and review area mapping.

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# Conseil des écoles publiques de l'Est de l'Ontario

## Education Development Charge Background Study 2021

### Growth-related School Site Needs

#### EXECUTIVE SUMMARY

Education development charges (EDCs) are charges which may be levied by a Board on residential, industrial, commercial and institutional development (excluding municipal, school, specified residential additions to existing units and replacement dwellings, as well as specific exemptions for industrial expansions of gross floor area and replacement non-residential development) pursuant to Division E of Part IX of the *Education Act*.

The charges relate to the net education land cost of providing additional land (school sites and/or site development costs) for growth-related pupils. Net education land costs are defined by the legislation to be:

- Costs to acquire land, or an interest in land, including a leasehold interest, to be used by the board to provide pupil accommodation;
- Costs to provide services to the land or otherwise prepare the site so that a building or buildings may be built on the site to provide pupil accommodation;
- Costs to prepare and distribute the EDC background studies;
- Interest on money borrowed to pay for land acquisition and site servicing;
- Costs to undertake studies in connection with land acquisition.

The charges are collected at building permit issuance by the municipalities and counties described below, and implementing the provisions of the Board's education development charge by-law.

The purpose of this report is to provide background information with respect to the calculation of the Conseil des écoles publiques de l'Est de l'Ontario's (CEPEO) Education Development Charges (EDCs) to be implemented in new EDC by-laws to be applied within portions of the legislative 'regions' of:

1. The upper-tier municipality of Leeds and Grenville and the local municipality of Gananoque
2. The geographic area of the Frontenac Management Board (as of January 7, 1997) and the local municipality of Kingston
3. The upper-tier municipality of Lennox and Addington

The Board will seek input from the public, hold concurrent public meetings on Tuesday April 27, 2021 and give consideration to the public submissions prior to passage of education development charges proposed for Tuesday May 25, 2021.

Calculated EDCs may be set at any level, provided that:

- The procedures set out in the Regulation and required by the Ministry are followed and only growth-related net education land costs are recovered; and,
- No more than 40% of the applicable cost is financed via non-residential development (including non-exempt commercial, industrial and institutional development).

The EDC calculation is based on new pupils generated by new dwelling units within portions of the by-law regions described above, and for which:

- building permits will be issued over the fifteen-year forecast period mid-2021 to mid-2036;
- temporary capacity is being used to accommodate the pupils pending funding approval, construction & opening of permanent student accommodation;
- additional land or site development costs are required to meet these growth-related student accommodation needs; and
- education development charges may be imposed on the new dwelling units (i.e. they are not statutorily exempted from the payment of EDCs).

EDC rates to be imposed within an EDC by-law may not exceed \$300 per dwelling unit and \$0.10 per square foot of non-residential gross floor area in Year 1 of a 5-year by-law period, consistent with the legislatively-imposed rate 'cap'.

## **KEY EDC STUDY COMPONENTS**

In determining what level of education development charges are necessary to fund future growth-related school site needs, the following key questions must be explored and answered:

- How many new housing units are expected to be constructed over the 15 years following by-law adoption and how many CEPEO students will be generated by the new housing units;
- How many pupil places owned and operated by the CEPEO are surplus to existing community enrolment needs, and therefore available to accommodate the new housing development within each 'region', over the long term;
- What portion of the Board's On-the-Ground (OTG) capacity is being used to temporarily accommodate students generated by new housing development and for which a permanent accommodation has not yet been constructed (i.e. transitional site requirements);
- How much will it cost to acquire and service the land necessary to construct the additional pupil places necessitated by new housing development, and;
- How does the land acquisition strategy outlined in this report align with the Board's long-term capital plans and future capital priority funding requests for the area?

## **ELIGIBILITY TO ADOPT A SUCCESSOR EDC BY-LAW**

In order to be eligible to adopt a successor EDC by-law the CEPEO must demonstrate that it will either have a deficit in the EDC account, or average enrolment over the next by-law period will exceed school capacity on either the elementary or secondary panel. The CEPEO qualifies to adopt a successor EDC by-law on the basis of elementary enrolment in excess of capacity, on a jurisdiction-wide basis.

## **FORECASTING DEVELOPMENT**

A forecast of new dwelling units and the projected number of CEPEO students to be generated by new housing development in the area in which EDCs are to be imposed, over the 15-year forecast period, were derived from a consideration of:

- Municipal development charges and land needs studies undertaken by each of the municipalities and Counties within the proposing by-law charging areas (although it is noted that the Jan to Nov 2020 number of City of Kingston building permits attributed to the construction of new dwelling units is 29% higher than the same period in 2019; and is 57% higher than the City of Kingston housing forecast (which was used as the basis for the 15-year EDC forecast of new dwelling units) for the Year 2020.
- A spatial matching of the CEPEO elementary and secondary student data to MPAC data by dwelling unit type was undertaken in order to determine how many pupils would be generated by additional housing development. Board-specific pupil yields were applied to the forecast of new residential units within each school catchment area to determine how new residential development would impact future enrolment of CEPEO schools.

The EDC 15-year housing forecast suggests that an additional 12,977 net new occupied dwelling units will be added to the existing housing stock within the charging areas over the next fifteen years, at an average of 865 units per annum. Of the total additional dwelling units, approximately 39.1% are anticipated to be low density (single and semi-detached), 11.6% medium density (row houses, townhouses, etc.), 45.5% high density apartment units (including student housing and market retirement units) and the remaining 3.9% statutorily-exempt secondary dwelling units. The high-density development includes proposed post-secondary housing and assumed seniors housing (based on population growth in this age cohort), of approximately 2,200 units, to which a ‘zero’ student yield has been applied.

## FORECASTING STUDENT ACCOMMODATION NEEDS

The site requirements arising from new residential development in each charging area indicate the cumulative number of new pupil places required by Year 15 of the forecast period, and for which there is insufficient permanent pupil places to accommodate all projected students.

The capacity of the elementary and secondary facilities in the Board’s existing inventory is reflective of the (OTG) capacities approved by the Ministry for EDC purposes. Consultant-prepared 15-year school enrolment projections are used to determine the number of growth-related school sites required as a result of anticipated enrolment growth within portions of the Board’s jurisdiction. The information respecting projected enrolment and growth-related site needs is compared to, and aligned with, the Board’s capital priority needs.

All elementary enrolment projections are “headcount enrolment” as this is reflective of the Provincial initiative respecting full-day kindergarten. Secondary enrolments are reflective of “average daily enrolment.” In addition, for the purpose of Education Development Charges, the students from new housing development are presumed to be accommodated within their resident catchment area over the long term, where the board anticipates the construction of additional pupil places.

Student accommodation needs generated by new housing development (i.e. the Requirements of New Development, or ROND) accumulate over a period of time prior to Ministry capital funding approval to construct additional school capacity. In the interim, existing community students generated by new housing development may be temporarily accommodated in portables or schools leased from other school boards - for example Mille-Îles. The EDC legislation enables school boards to exclude temporary capacity so that the accumulated growth-related student accommodation needs generated by new housing development are fully funded through the imposition of education development charges over multiple by-law periods. The length of



time necessary to accumulate sufficient pupils to warrant the construction of additional school capacity is exacerbated where the pupils per household is low (e.g. the number of pupils required to fill a French-language school takes longer to materialize than an English-language school). The CEPEO has utilized EDC by-laws to fund growth-related site needs for almost 30 years. The analysis undertaken in this background study is designed to ensure that the recovery of net education land costs is consistent with the longer-term capital priorities of the board.

The mid-2021 to mid-2036 projections of enrolment indicate that, for the Kingston school catchment areas, the number of JK-8 elementary pupils will increase by 380 (533 to 913) and Grade 9-12 secondary pupils will increase by 219 (61 to 280) students. In addition, the number of pre-school pupils will increase by 153 (35 to 188) students.

Detailed student enrolment projections are found in Appendix A (although it is noted that the Form A enrolment and capacity information is reflective of the entirety of the Board's jurisdiction, whereas the determination of growth-related needs in this report based on the proposed Kingston catchment areas).

The individual schools that will be impacted by new housing development are reviewed to determine their ability to accommodate additional student enrolment from new development. Where it is determined that there is a need to acquire additional land to accommodate enrolment growth; the number of additional pupil places required, along with the potential cost to acquire and service the lands; is the key determinant to establishing projected net education land costs over the 15-year forecast period.

## **REQUIREMENT TO ADOPT 'CAPPED' EDC RATES**

On November 8, 2019 the Province passed O. Reg. 371/19 providing for annual increases in EDC rates, provided that they do not exceed the 'calculated' rates determined herein. This Background Study report and recommended EDC rates reflect the charges necessary to fund the net education land costs over the next 15 years, known as the 'calculated rate'.

This EDC Background study is prepared in order to determine the difference between the 'capped' rates and the 'calculated' rates necessary to recover 100% of the growth-related net education land costs. The same process respecting stakeholder consultation and conducting public meetings, as well as seeking Ministry approval of the 15-year enrolment projections and number of school sites underlying the 'calculated rates' is followed, consistent with the legislation.

## **MINISTRY APPROVAL TO SPEND EDC FUNDS IN A DIFFERENT REGION**

Section 257.57 of the *Education Act* prohibits education development charges collected in one 'region' from being spent in another 'region' without written permission from the Minister. The CEPEO is seeking said permission from the Minister, as part of the Ministry review and approval process governing the student enrolment projections and proposed new school sites.

## RESULTING PROPOSED EDC RATES

As a result of undertaking all of the necessary research and completing the EDC submission, the proposed Kingston Area education development charges for the Conseil des écoles publiques de l'Est de l'Ontario, where 100% of the costs are recovered from residential development (subject to the legislative 'cap'), are as follows:

### Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston

#### Proposed Residential EDC By-law Rates

EDC By-law Charging Area	EDC Calculated Rate (per Dwelling Unit)	Year 1	Year 2	Year 3	Year 4	Year 5
		In-force Date: May 31, 2021 to May 30, 2022	In-force Date: May 31, 2022 to May 30, 2023	In-force Date: May 31, 2023 to May 30, 2024	In-force Date: May 31, 2024 to May 30, 2025	In-force Date: May 31, 2025 to May 30, 2026
By-law #1 (FPE01) United Counties of Leeds & Grenville incl. Westport, Gananoque, Rideau Lakes (except South Elmsley), Leeds and the Thousand Islands	\$333	\$300	\$333	\$333	\$333	\$333
By-law #2 (FPE02) South Frontenac Twsp, Frontenac Islands & City of Kingston	\$365	\$300	\$365	\$365	\$365	\$365
By-law #3 (FPE03) County of Lennox & Addington south of Highway 7	\$344	\$300	\$344	\$344	\$344	\$344

Consistent with the EDC by-law practices of the Algonquin Lakeshore Catholic DSB, which has imposed EDCs as a means of funding a Kingston West school site, the CEPEO intends to impose EDCs against residential development only.

The EDC forms for the Board were submitted to the Ministry of Education for approval, on February 25, 2021. Ministerial approval of the submission is required prior to by-law adoption.

While the calculated EDC by-law rates are based on 100% residential recovery, and the Board may choose to retain this approach or may elect to allocate a different percentage of the charge (a minimum of 0% up to a maximum of 40%) to non-residential development. However, adopting a non-residential EDC charge creates considerable additional administrative workload for the municipalities and Counties involved as they would be responsible for interpreting each building permit application relative to the Board's by-law; calculating the amounts owed and determining what exemptions are to be applied consistent with the legislation.



## CHAPTER 1 - INTRODUCTION

### 1.1 Legislative Background

Education development charges are the primary source of funding site acquisition needs for a school board experiencing growth within their jurisdiction.

Section 257.54 of the *Education Act* allows a board to “pass by-laws for the imposition of education development charges” if there is residential development in the jurisdiction of a board that would increase education land costs.

However, education development charges as a means of financing site acquisition costs are only available to boards who qualify under the legislation. To qualify, the Board’s average projected enrolment over the five-year by-law period must exceed permanent capacity at the time of by-law passage on either the elementary or secondary panel, for the entire Board jurisdiction, or alternatively, the Board must demonstrate that it has an existing unmet financial need carried forward from a previous by-law.

Further, Section 257.70 of the *Education Act*, enables a board to “pass a by-law amending an education development charge by-law.” A by-law amendment allows a board the opportunity to assess circumstances where actual expenditures exceed cost estimates, to ensure full cost recovery and deal with short term cash flow shortfalls. If, for instance, recent site acquisition or site development costs are higher or lower than estimated in the existing by-law calculation, an amendment could be undertaken to incorporate these increased or decreased costs into the EDC rate structure(s). The same is true for by-law renewal, in that the transitional EDC account analysis determines the relationship between EDC revenue raised and site acquisition/site development needs generated by enrolment growth. By-law amendment and renewal requires a reconciliation of the EDC account under section 7(5) of O. Reg. 20/98.

### 1.2 Conseil des écoles publiques de l'Est de l'Ontario EDC By-laws

The Conseil des écoles publiques de l'Est de l'Ontario (CEPEO) has imposed education development charges for almost 30 years and under the legislative authority of the *Education Act*, R.S.O., 1990, and in a jurisdiction that accommodates students from Quinte West to Hawkesbury and as far north as Renfrew County. However, this is the first CEPEO EDC by-law adoption process that will require the adoption of three separate by-laws due to the legislative provisions governing ‘regions’.

The Board will meet with interested development community stakeholders and local municipalities on April 15, 2021 to review the basis for the proposed charges and to invite any comments.

The scheduling of the public meeting requires that the proposed by-law and the education development charge background study are made available to the public at least two weeks prior to the meeting, and to ensure that any person who attends the meeting “may make representations relating to the by-law” (s.257.63(2)). This meeting is scheduled for Tuesday April 27, 2021 at 7:30 PM.

Finally, the Board is expected to consider the adoption of a new education development charge by-law on Tuesday May 25, 2021 7:00 PM at the same location.

A copy of the “Notice of Public Meetings” is set out on the following page, followed by a summary table of the adopted EDC rates for all Boards with in-force EDC by-laws.



Conseil des  
écoles publiques  
de l'Est de l'Ontario

**EDUCATION DEVELOPMENT CHARGES within portions of the  
UNITED COUNTIES OF LEEDS and GRENVILLE, and the TOWN OF  
GANANOQUE, CITY OF KINGSTON and the COUNTY OF  
FRONTENAC, and LENNOX and ADDINGTON COUNTY**

**NOTICE OF PUBLIC MEETINGS**

**FIRST BY-LAW PUBLIC MEETING  
TUESDAY APRIL 27, 2021 @ 7:30 PM**

**Conseil des écoles publiques de l'Est de l'Ontario (CEPEO)  
Board Room, 2445 St-Laurent Blvd, Ottawa, Ontario (VIRTUAL MEETING)**

Pursuant to Section 257.63 of the *Act*, the Board will hold a public meeting to consider the imposition of education development charges as set out in Section 257.63 of the *Act*, and to inform the public generally about the education development charge proposal. Any person who attends the meeting may make a representation to the Board in respect of the proposal. The Board will also consider any written submissions. All submissions received in writing and those expressed at the public meeting will be considered prior to the passage and enactment of an education development charge by-laws.

The *Education Act* defines the Counties of Leeds and Grenville, Frontenac County and Lennox and Addington County, as well as the separated Towns and Cities within each as separate 'regions'. The legislation also stipulates that an EDC by-law cannot apply to more than one 'region'. The CEPEO has historically enrolled students residing within the by-law areas described in the table below. As such, the Board is proposing to adopt three (3) separate EDC by-laws. The by-laws are proposed to apply to building permits issued in respect of residential development only.

The education development charge background studies required under Section 257.61 of the *Act* (including the proposed EDC by-laws) and setting out the Board's education development charge proposal for each 'region' will be no later than March 27, 2021 through the Board's website: [www.cepeo.on.ca](http://www.cepeo.on.ca).

Finally, it is anticipated that the CEPEO will consider adoption of EDC by-laws imposing education development charges within the geographic boundaries described below, on May 25, 2021.

**SECOND PUBLIC MEETING – IN CONSIDERATION OF BY-LAW ADOPTION –  
TUESDAY MAY 25, 2021 @ 7:00 PM**

**Conseil des écoles publiques de l'Est de l'Ontario (CEPEO)  
Board Room, 2445 St-Laurent Blvd, Ottawa, Ontario (VIRTUAL MEETING)**

The purpose of this meeting is to entertain the Board's approval to adopt the three EDC by-laws.

Any person who attends the meeting may make representation in respect of this matter. Written submissions, filed in advance of the meeting, will also be considered. All interested parties are invited to attend the public meetings in a virtual format. The Board would appreciate receiving written submissions one week prior to the Public Meetings, so that they may be distributed to trustees prior to the meetings. Anyone wishing to attend the virtual meeting, provide a written submission, or make a request to address the Board as a delegation should contact the Secretary for the Board prior to 3PM on the day of meeting:

**Solange Houde, Session Secretary at [solange.houde@cepeo.on.ca](mailto:solange.houde@cepeo.on.ca), (613) 742-8960 ext. 2200  
c.c. [moncef.cherouk@cepeo.on.ca](mailto:moncef.cherouk@cepeo.on.ca) and [karima.menouer@cepeo.on.ca](mailto:karima.menouer@cepeo.on.ca)**

In addition to the legislated public meetings indicated above, the Board has regularly scheduled Board meetings, at which the Board may receive information regarding education development charges. Regular Board meeting procedures will apply to these meetings. Any comments or requests for further information regarding this matter may be directed to Mr. Etienne Paquet, Mgr. of Planning (613-742-8960 ext. 2297) during regular office hours.

# EDUCATION DEVELOPMENT CHARGE BY-LAWS IN THE PROVINCE OF ONTARIO

## Education Development Charge By-law Rates in the Province of Ontario (as of February, 2021)

Board	By-law Term	Area to which By-law Applies	Calculated Rate	Initial In-force Rates & Date for EDC By-law Year 1	Initial In-force Rates & Date for EDC By-law Year 2	Initial In-force Rates & Date for EDC By-law Year 3	Initial In-force Rates & Date for EDC By-law Year 4	Initial In-force Rates & Date for EDC By-law Year 5	Type of Charge <sup>1</sup>	% of Charge Attributed to Residential & Non-residential Development
Algonquin & Lakeshore Catholic DSB	5 yrs	City of Kingston	\$254	\$254	\$254	\$254	\$254	\$254	Singular Region	100%
				Oct 15, 2017	Oct 15, 2018	Oct 15, 2019	Oct 15, 2020	Oct 15, 2021		
Brant Haldimand Norfolk Catholic DSB	5 yrs	City of Brantford & County of Brant	\$912	\$912	\$912	\$912	\$912	\$912	Singular Region	100%
				Oct 21, 2018	Oct 21, 2019	Oct 21, 2020	Oct 21, 2021	Oct 21, 2022		
Conseil des écoles publiques de l'Est de l'Ontario	5 yrs	City of Ottawa	\$784	\$723	\$784	\$784	\$784	\$784	Singular Region	80%
			\$0.58	\$0.23	\$0.24	\$0.25	\$0.27	\$0.28		20%
				June 2, 2019	April 1, 2020	April 1, 2021	April 1, 2022	April 1, 2023		
Conseil des écoles publiques de l'Est de l'Ontario	5yrs	United Counties of Prescott and Russell	\$941	\$744	\$941	\$941	\$941	\$941	Singular Region	100%
				July 1, 2019	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023		
Conseil des écoles publiques de l'Est de l'Ontario (PROPOSED)	5yrs	Town of Gananoque, the Township of Leeds and The Thousand Islands, the Township of Rideau Lakes (except South Elmsley); and the Town of Westport	\$333	\$300	\$333	\$333	\$333	\$333	A/S	100%
				May 31, 2021	May 31, 2022	May 31, 2023	May 31, 2024	May 31, 2025		
Conseil des écoles publiques de l'Est de l'Ontario (PROPOSED)	5yrs	City of Kingston, South Frontenac and the Frontenac Islands	\$365	\$300	\$365	\$365	\$365	\$365	A/S	100%
				May 31, 2021	May 31, 2022	May 31, 2023	May 31, 2024	May 31, 2025		
Conseil des écoles publiques de l'Est de l'Ontario (PROPOSED)	5yrs	Town of Greater Napanee, Township of Loyalist & Township of Stone Mills south of Highway 7	\$344	\$300	\$344	\$344	\$344	\$344	A/S	100%
				May 31, 2021	May 31, 2022	May 31, 2023	May 31, 2024	May 31, 2025		
Conseil des écoles catholiques du Centre-Est	5 yrs	City of Ottawa	\$668	\$668	\$668	\$668	\$668	\$668	Singular Region	80%
			\$0.49	\$0.49	\$0.49	\$0.49	\$0.49	\$0.49		20%
				April 1, 2019	April 1, 2020	April 1, 2021	April 1, 2022	April 1, 2023		
Dufferin-Peel Catholic DSB	5 yrs	Peel Region	\$1,096	\$1,096	\$1,096	\$1,096	\$1,096	\$1,096	Singular Region	75%
			\$0.44	\$0.44	\$0.44	\$0.44	\$0.44	\$0.44		25%
				July 1, 2019	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023		
Durham Catholic DSB	5 yrs	Durham Region (excl. Clarington)	\$4,004	\$1,086	\$1,386	\$1,686	\$1,986	\$2,286	J/W	100%
				May 1, 2019	May 1, 2020	May 1, 2021	May 1, 2022	May 1, 2023		
Durham DSB	5 yrs	Durham Region (excl. Clarington)	\$11,878	\$2,249	\$2,549	\$2,849	\$3,149	\$3,449	J/W	100%
				May 1, 2019	May 1, 2020	May 1, 2021	May 1, 2022	May 1, 2023		
Greater Essex County DSB	5 yrs	City of Windsor	\$1,455	\$605	\$905	\$1,205	\$1,455	\$1,455	Singular Region	100%
				May 11, 2019	May 11, 2020	May 11, 2021	May 11, 2022	May 11, 2023		
Greater Essex County DSB	5 yrs	County of Essex and the Township of Pelee	\$682	\$605	\$682	\$682	\$682	\$682	Singular Region	100%
				May 11, 2019	May 11, 2020	May 11, 2021	May 11, 2022	May 11, 2023		
Halton Catholic DSB	5 yrs	Halton Region	\$3,648	\$2,569	\$2,869	\$3,169	\$3,469	\$3,648	J/W	85%
			\$0.83	\$0.61	\$0.64	\$0.67	\$0.70	\$0.74		15%
				May 19, 2019	July 4, 2019	July 4, 2020	July 4, 2021	July 4, 2022		
Halton DSB	5 yrs	Halton Region	\$4,892	\$4,664	\$4,892	\$4,892	\$4,892	\$4,892	J/W	85%
			\$1.11	\$1.11	\$1.11	\$1.11	\$1.11	\$1.11		15%
				May 20, 2019	July 4, 2019	July 4, 2020	July 4, 2021	July 4, 2022		
Hamilton-Wentworth Catholic DSB	5 yrs	City of Hamilton	\$1,101	\$1,101	\$1,101	\$1,101	\$1,101	\$1,101	J/W	85%
			\$0.35	\$0.35	\$0.35	\$0.35	\$0.35	\$0.35		15%
				July 6, 2019	July 6, 2020	July 6, 2021	July 6, 2022	July 6, 2023		
Hamilton-Wentworth DSB	5 yrs	City of Hamilton	\$1,573	\$1,339	\$1,573	\$1,573	\$1,573	\$1,573	J/W	85%
			\$0.50	\$0.41	\$0.43	\$0.45	\$0.47	\$0.50		15%
				July 6, 2019	July 6, 2020	July 6, 2021	July 6, 2022	July 6, 2023		

## EDC BY-LAWS IN THE PROVINCE OF ONTARIO CONT'D

Board	By-law Term	Area to which By-law Applies	Calculated Rate	Initial	In-force Rates	In-force Rates	In-force Rates	In-force Rates	In-force Rates	Type of Charge <sup>1</sup>	% of Charge Attributed to Residential & Non-residential Development
				In-force Rates & Date for EDC By-law Year 1	& Date for EDC By-law Year 2	& Date for EDC By-law Year 3	& Date for EDC By-law Year 4	& Date for EDC By-law Year 5			
Kawartha Pine Ridge DSB	5 yrs	Clarington	\$2,143	\$1,328	\$1,628	\$1,928	\$2,143	\$2,143	A/S	90%	
			\$1.07	\$0.34	\$0.44	\$0.54	\$0.64	\$0.74		10%	
				Jan 21, 2021	Jan 21, 2022	Jan 21, 2023	Jan 21, 2024	Jan 21, 2025			
Niagara Catholic DSB	5 yrs	fmr Lincoln County	\$486	\$486	\$486	\$486	\$486	\$486	Singular Region	100%	
				Dec 20, 2020	Dec 20, 2021	Dec 20, 2022	Dec 20, 2023	Dec 20, 2024			
Niagara Catholic DSB	5 yrs	fmr Welland County	\$391	\$391	\$391	\$391	\$391	\$391	Singular Region	100%	
				Dec 20, 2020	Dec 20, 2021	Dec 20, 2022	Dec 20, 2023	Dec 20, 2024			
Ottawa Catholic SB	5 yrs	City of Ottawa	\$499	\$499	\$499	\$499	\$499	\$499	J/W	80%	
			\$0.37	\$0.36	\$0.37	\$0.37	\$0.37	\$0.37		20%	
				May 19, 2019	April 1, 2020	April 1, 2021	April 1, 2022	April 1, 2023			
Ottawa-Carleton DSB	5 yrs	City of Ottawa	\$787	\$787	\$787	\$787	\$787	\$787	J/W	80%	
			\$0.58	\$0.55	\$0.57	\$0.58	\$0.58	\$0.58		20%	
				June 29, 2019	April 1, 2020	April 1, 2021	April 1, 2022	April 1, 2023			
Peel DSB	5 yrs	Peel Region	\$3,476	\$3,476	\$3,476	\$3,476	\$3,476	\$3,476	J/W	90%	
			\$0.46	\$0.46	\$0.46	\$0.46	\$0.46	\$0.46		10%	
				July 1, 2019	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023			
Peterborough, Victoria, Northumberland & Clarington Catholic DSB	5 yrs	Clarington	\$1,202	\$1,010	\$1,202	\$1,202	\$1,202	\$1,202	A/S	90%	
			\$0.60	\$0.26	\$0.36	\$0.46	\$0.56	\$0.60		10%	
				January 1, 2021	January 1, 2022	January 1, 2023	January 1, 2024	January 1, 2025			
Simcoe Muskoka Catholic DSB	5 yrs	Simcoe County	\$1,472	\$748	\$1,048	\$1,348	\$1,472	\$1,472	Singular Region	90%	
			\$0.40	\$0.13	\$0.13	\$0.14	\$0.15	\$0.15		10%	
				June 10, 2019	Oct 30, 2019	Oct 30, 2020	Oct 30, 2021	Oct 30, 2022			
Simcoe County DSB	5 yrs	Simcoe County	\$3,578	\$1,611	\$1,911	\$2,211	\$2,511	\$2,811	J/W	90%	
			\$0.97	\$0.37	\$0.39	\$0.41	\$0.43	\$0.45		10%	
				May 27, 2019	Oct 30, 2019	Oct 30, 2020	Oct 30, 2021	Oct 30, 2022			
Toronto Catholic DSB	5 yrs	City of Toronto	\$7,189	\$1,793	\$2,093	\$2,393	\$2,693	\$2,993	J/W (with statutorily-exempt areas)	75%	
			\$7.86	\$1.12	\$1.18	\$1.24	\$1.30	\$1.37		25%	
				June 1, 2019	May 1, 2020	May 1, 2021	May 1, 2022	May 1, 2023			
Upper Grand DSB	5 yrs	Dufferin County	\$2,734	\$1,132	\$1,432	\$1,732	\$2,032	\$2,332	Singular Region	100%	
				May 20, 2019	May 20, 2020	May 20, 2021	May 20, 2022	May 20, 2023			
Upper Grand DSB	5 yrs	Wellington County	\$2,222	\$1,867	\$2,167	\$2,222	\$2,222	\$2,222	Singular Region	100%	
				May 20, 2019	May 20, 2020	May 20, 2021	May 20, 2022	May 20, 2023			
Waterloo Catholic DSB	5 yrs	Regional Municipality of Waterloo	\$653	\$653	\$653	\$653	\$653	\$653	J/W	80%	
			\$0.32	\$0.32	\$0.32	\$0.32	\$0.32	\$0.32		20%	
				June 1, 2016	June 1, 2017	June 1, 2018	June 1, 2019	June 1, 2020			
Waterloo Region DSB	5 yrs	Regional Municipality of Waterloo	\$1,948	\$1,948	\$1,948	\$1,948	\$1,948	\$1,948	J/W	80%	
			\$1.41	\$1.41	\$1.41	\$1.41	\$1.41	\$1.41		20%	
				June 1, 2016	June 1, 2017	June 1, 2018	June 1, 2019	June 1, 2020			
Wellington Catholic DSB	5 yrs	Wellington County	\$619	\$617	\$619	\$619	\$619	\$619	J/W	100%	
				May 20, 2019	May 20, 2020	May 20, 2021	May 20, 2022	May 20, 2023			
York Catholic DSB	5 yrs	York Region	\$1,463	\$1,291	\$1,463	\$1,463	\$1,463	\$1,463	J/W	90%	
			\$0.43	\$0.18	\$0.19	\$0.20	\$0.21	\$0.22		10%	
				July 1, 2019	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023			
York Region DSB	5 yrs	York Region	\$7,829	\$5,716	\$6,016	\$6,317	\$6,633	\$6,964	J/W	90%	
			\$2.30	\$0.95	\$1.00	\$1.05	\$1.10	\$1.15		10%	
				July 1, 2019	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023			

<sup>1</sup> Type of Charge: J/W = Jurisdiction-wide (i.e. the same EDC rate is applied across the entirety of the Board's jurisdiction); Singular Region = EDC-by-law is applied to a singular region within the Board's jurisdiction as defined by O. Reg. 20/98;

A/S = Area Specific in that the EDC-by-law only covers a portion of a region or a portion of the jurisdiction of the Board.

### 1.3 Legislative Requirements to Adopt a New EDC By-law

Section 257.54 of the *Education Act* states that “if there is residential development in the area of the jurisdiction of a board that would increase education land costs, the board may pass by-laws for the imposition of education development charges against land in its area of jurisdiction undergoing residential or non-residential development.”

In addition, section 257.61 requires that “before passing an education development charge by-law, the board shall complete an education development charge background study.”

Section 257.62 stipulates that “an education development charge by-law may only be passed within the one-year period following the completion of the education development charge background study.”

Section 10 of O. Reg 20/98 sets out “conditions that must be satisfied in order for a board to pass an education development charge by-law.” These conditions are:

1. The Minister has approved the Board’s estimates of the total number of elementary and secondary pupils over each of the fifteen years of the forecast period.
2. The Minister has approved the Board’s estimates of the number of elementary and secondary school sites used by the Board to determine the net education land costs.
3. The Board has given a copy of the education development charge background study relating to the by-law (this report) to the Minister and each Board having jurisdiction within the area to which the by-law would apply.
4. The Board meets at least one of the following conditions:
  - Either the estimated average elementary or secondary enrolment over the five-year by-law period exceeds the respective total capacity that, in the Board’s opinion is available to accommodate pupils, throughout the jurisdiction, on the day that the by-law is passed, or
  - At the time of expiry of the Board’s last EDC by-law that applies to all or part of the area in which the charges would be imposed, the balance in the EDC account is less than the amount required to pay outstanding commitments to meet growth-related net education land costs, as calculated for the purposes of determining the EDCs imposed under that by-law.

This is the first EDC by-law for the CEPEO for the Kingston catchment area. The CEPEO is eligible to adopt an EDC by-law given that the Board has both elementary and secondary enrolment in excess of capacity, as is demonstrated in the following section.

### 1.4 Eligibility to Impose Education Development Charges and Form A

Form A of the EDC Submission set out on the following page, demonstrates that the head count enrolment (i.e., includes full day kindergarten) over the proposed 5-year term of the EDC by-law (2021/2022 to 2025/2026), as measured in October and March of each academic year, is higher than the permanent capacity of the Board’s existing inventory of school facilities, on the elementary panel. As a result, the CEPEO meets the legislative “trigger.”

For the CEPEO, the five year (2021/22 to 2025/26) average head count enrolment is 14,757 for the elementary panel and ADE average enrolment of 5,140 on the secondary panel. When these figures are



compared to 13,676 permanent spaces in the Board's existing inventory of elementary facilities and 6,093 permanent spaces on the secondary panel, enrolment exceeds capacity on the elementary panel.

**Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area  
Education Development Charges Submission 2021  
Form A - Eligibility to Impose an EDC**

**A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL**

Elementary Panel Board-Wide Capacity	Projected Elementary Panel Average Daily Enrolment Headcount						Elementary Average Projected Enrolment less Capacity
	Year 1 2021/ 2022	Year 2 2022/ 2023	Year 3 2023/ 2024	Year 4 2024/ 2025	Year 5 2025/ 2026	Average Projected Enrolment Over Five Years	
13,676	13,859	14,313	14,827	15,174	15,611	14,757	1,081

**A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL**

Secondary Panel Board-Wide Capacity	Projected Secondary Panel Average Daily Enrolment (ADE)						Secondary Average Projected Enrolment less Capacity
	Year 1 2021/ 2022	Year 2 2022/ 2023	Year 3 2023/ 2024	Year 4 2024/ 2025	Year 5 2025/ 2026	Average Projected Enrolment Over Five Years	
6,093	4,230	4,752	5,133	5,617	5,970	5,140	-953

**A.2: EDC FINANCIAL OBLIGATIONS (Estimated to May 31 2021)**

Adjusted Outstanding Principal:	\$0
Less Adjusted EDC Account Balance:	\$0
<b>Total EDC Financial Obligations/Surplus:</b>	<b>\$0</b>

## 1.5 Background Study Requirements

The following sets out the information that must be included in an education development charge background study and the appropriate chapter references from the enclosed report:

1. estimates of the anticipated amount, type and location of residential development for each year of the fifteen-year forecast period, in portions of the United Counties of Leeds and Grenville; the Town of Gananoque; the City of Kingston; the County of Frontenac and Lennox and Addington County - Chapter 4
2. the number of projected pupil places (Chapter 5) and the number of new sites and/or site development costs required to provide the projected pupil places - Chapter 6
3. the number of existing pupil places available to accommodate the projected number of new pupil places required in item #2 – Chapter 7 and Appendix A
4. for each school in the board's inventory, the number of existing pupil places and the number of pupils who attend the school, including holding pupils – Appendix A
5. for every existing elementary and secondary pupil place in the board's jurisdiction that the board does not intend to use, an explanation as to why the board does not intend to do so – Chapter 7 (although this is no longer a legislative requirement)
6. estimates of the education land cost, the net education land cost, and the growth-related net education land costs required to provide the projected new pupil places in item #2, the location of the site needs, the acreage for new school sites, including the area that exceeds the maximum set out in section 2 of O. Reg. 20/98, an explanation of whether the costs of the excess land are education land costs and if so, why - Chapter 6
7. the number of permanent pupil places the board estimates will be provided by the school to be built on the site and the number of those pupil places that the board estimates will be used to accommodate the new pupils in item #2 – Appendix A Form G summaries

The CEPEO has developed assumptions in the calculations on which its EDC by-laws will be based.

The legislation stipulates that an education development charge by-law may only be passed within the one-year period following the completion of the education development charge background study. This report, dated February 24, 2021 (French version will be available on the Board's website no later than March 27, 2021) will be considered for receipt by the Board, as part of the meeting on May 25, 2021, which will also consider by-law adoption.

Further, this report will be forwarded to the Minister of Education and each co-terminous board, as per the legislative requirements.

## 1.6 EDC Study Process

Figure 1-1 provides an overview of the education development charge process to be followed when a board considers the adoption of an EDC by-law under the *Education Act*. The overview reflects the process in place prior to the announcement of the legislative review.

Figure 1-1  
**Overview of Education Development Charges Process and Proposed Timelines**

PHASE ONE	PHASE TWO	PHASE THREE	PHASE FOUR	PHASE FIVE	PHASE SIX	PHASE SEVEN
PRELIMINARY CONSULTATION	DETERMINING ELIGIBILITY	ANALYSIS OF NGRELC <sup>1</sup>	MINISTRY SUBMISSION	STAKEHOLDER CONSULTATION PROCESS	BY-LAW ADOPTION & IMPLEMENTATION	MANAGING UNFUNDED NELC
<p>A. Preliminary Consultation with Municipalities, Co-terminous Boards, Development Community re potential for Alternative Projects and LEDAs</p> <p>B. Prepare and approve internal Policy outlining the basis upon which Alternative Projects will be Evaluated</p> <p>C. Define Area Specific By-law Structure if LEDA is contemplated</p> <p>D. Review Status of Ministry Approval of Site Acquisitions</p>	<p>A. Capacity Trigger Evaluation and Notify Ministry of Education if Board Intends to Exclude Capacity</p> <p>B. EDC Account Analysis - determine sites proposed to be acquired &amp; sites acquired, what has been fully or partially funded and would accommodate current (holding pupils) and future growth-related student accommodation</p> <p>C. EDC Financial Obligations Evaluation (including how Financial Obligations will be repaid)</p>	<p>A. 15-year Estimate of Residential Development and Non-Residential GFA Projections (net of statutory exemptions)</p> <p>B. Prepare 15-year student enrollment projections - Existing Community Requirements plus Requirements of New Development and Determine if there is a Need to Alter Review Area boundaries given Long Term Accommodation Strategies</p> <p>C. Review Area Analysis to Determine Schools Impacted by New Housing Development</p> <p>D. Forecast of Net Growth-related Pupils and Determine # of Sites, Site Expansions and/or Site development Costs by Location</p> <p>E. Estimate Growth-related Net Education Land Costs (net of any surplus EDC account funds)</p> <p>F. Calculate NELC on a Cashflow basis and Determine Portion of NELC to be Funded from EDCs given Legislative 'Cap'</p>	<p>A. Completion of Ministry Forms (EDC Submission)</p> <p>B. Complete Background Study and Forward to Ministry, Co-terminous Boards &amp; Stakeholders who have provided notification (90 days in advance of 1st Public Meeting)</p> <p>C. Preparation &amp; Public Distribution of Policy Document</p> <p>D. Ministry of Education Review &amp; Approval Process (90 days review period)</p>	<p>A. Follow-up Consultation with Stakeholders re Basis for 'Calculated Change' and % Unfunded Costs</p> <p>B. Conduct Public Meeting (s) including Policy Review Public Meeting (including Policy restrictions resulting from Legislative 'Cap')</p> <p>C. Review of Public Submissions</p>	<p>A. Liaison with Area Municipal Representatives re By-law Interpretation, Implementation &amp; Collection Issues</p> <p>B. Board Consideration of Public Input and Calculation Revisions as necessary (may require additional Ministry Review /approval or request for additional data)</p> <p>C. Additional Public Meeting at Discretion of Board</p> <p>D. By-law Adoption</p> <p>E. By-law Implementation</p> <p>F. Notice of By-law Passage &amp; Appeal Date, Municipal Notification of By-law Passage and Implementation Considerations</p>	<p>A. Determine Unfunded Portion of NELC by school site</p> <p>B. Determine if there is ability for Project Substitution - Change in Accommodation Strategy and Impact on Unfunded NELC</p> <p>C. Apply for Land Priorities Funding as part of Site Acquisition Approval Process</p>

1. NGRELC = Net Growth-related Education Land Costs

## CHAPTER 2 - METHODOLOGICAL APPROACH

The following chapter outlines the methodology utilized to undertake the background analysis which underlies the proposed education development charge.

There are two distinct aspects to the model. The first is the planning component, which is comprised primarily of the dwelling unit projections over a fifteen-year period, the pupil yield analysis, the determination of the requirements of new development, enrolment projections for the existing community, the determination of net growth-related pupil places by review area and the identification of additional site requirements due to growth. The second component, which is the financial component, encompasses the determination of the charge (undertaken in the form of a cashflow analysis), including identification of the site acquisition, site development and study costs, projected expenditure timing, determination of revenue sources and assessment of borrowing impact.

A description of each step in the calculation process is set out below.

### 2.1 Planning Component

*Step 1* - Determine the anticipated amount, type, and location of residential development over the 15-year period (i.e., building permits to be issued) and for which education development charges would be imposed during the mid-2021 to mid-2036 forecast period.

A forecast of new dwelling units in the area in which EDCs are to be imposed, over the 15-year forecast period, was derived giving consideration to:

1. Recent development charge studies and growth forecasts for upper tier, lower tier and separated municipalities, including:
  - a. Gananoque, Town: Historical Building permits and development activity Information supplied by Terry Willing, CBO July, 2020;
  - b. Leeds and Thousand Islands, Township; Rideau Lakes; Westport Village: Leeds and Grenville Official Plan Growth & Settlement Analysis, August, 2014 - Table 28
  - c. Frontenac Islands, Township: Population, Housing and Employment Projections Study, County of Frontenac, January, 2020 - Table 8-15, Figure D-4
  - d. South Frontenac, Township: Population, Housing and Employment Projections Study, County of Frontenac, January, 2020 - Table 8-15, Figure D-3
  - e. Kingston, City: Population, Housing and Employment Growth Forecast, 2016 to 2046, City of Kingston, March, 2019
  - f. Addington Highlands, Township and Township of Stone Mills: County of Lennox & Addington Official Plan, April, 2016 update - Table C
  - g. Greater Napanee, Town: Development Charges Update Background Report, Town of Greater Napanee, January, 2016 - Table 4A
  - h. Loyalist, Township: Population, Housing and Employment Projections to 2046, Loyalist Township, September, 2019
  - i. Population forecasts by age cohort as a basis for determining the proportionate share of market seniors housing to be constructed
  - j. City of Kingston Active Plans database provided by the City of Kingston

A housing forecast by municipality, specifying dwelling unit type and location was undertaken in order to determine how many additional pupils would be generated by new housing development. A spatial matching of student data to Municipal Property Assessment Corporation (MPAC) housing data was used to determine Board-specific pupil yields. The pupil yields derived were subsequently applied to the forecast of new residential units within each school catchment area to determine how new residential development would impact future enrolment. 'Zero' pupil yields were applied to post-secondary student housing projects and market seniors housing units.

The EDC 15-year housing forecast suggests that an additional 12,977 net new occupied dwelling units will be added to the existing housing stock over the next fifteen years, at an average of 865 units per annum. Of the total additional dwelling units, approximately 39.1% are anticipated to be low density (single and semi-detached), 11.6% medium density (row houses, townhouses, etc.), 45.5% high density apartment units, and the remaining 3.9% are statutorily-exempt secondary dwelling units. The EDC housing forecast is net of demolitions.

**Step 2** - The draft by-law structure is based on a regional, area-specific approach to the by-law structure. That is, there are three separate 'regions' as defined by the legislation and the proposed EDC by-laws would only apply to a portion of each 'region' (i.e. an area specific charge), consistent with the catchment areas for CEPEO schools in Kingston. The elementary and secondary review areas match the current attendance boundaries of CEPEO Kingston schools. The EDC Review Areas used to determine future growth-related site needs are consistent with the legislative 'regions' as defined.

**Step 3** - Utilize the School Facilities Inventory information to determine the Ministry-approved OTG (On-the-Ground) capacities and the number of portables and portapaks (temporary space) for each existing elementary and secondary facility. Adjust the OTG capacity for pupil spaces to account for any changes to school capacity as result of community partnerships, child care initiatives, etc., and submitted to the Ministry of Education as reductions to the SFIS OTG capacity (See Chapter 5).

**Steps 4 through 6** - Determine the Board's projections of enrolment, by school, by grade, by program over the fifteen-year forecast period. Enrolment projections that distinguish the pupil requirements of the existing community (elementary to secondary retention, the number of future Kindergarten subscriptions, and the by-grade advancement of the existing student population) from the pupil requirements of new development (the number of pupils anticipated to be generated by new development within the Counties and over the next 15 years) were prepared by the consultants and reviewed by Board Planning staff.

**Steps 7 and 8** - Determine the number of pupil places "available" to accommodate enrolment growth resulting from the construction of new housing development. The Board is entitled to exclude any available pupil places that in the opinion of the Board, could not reasonably be used to accommodate enrolment growth. The determination of 15-year growth-related needs aligns with the Board's longer-term student accommodation needs as well as Capital Priority funding requirements.

Subtract any available and surplus pupil places in existing facilities from the total requirements of new development (Year 15 total enrolment), to determine the net growth-related pupil place requirements. Determine net growth-related pupil places by review area and within each review area in accordance with the timing and location of growth.

**Step 9** - Complete Form A of the EDC Submission to determine eligibility to impose education development charges.

**Step 10** - Determine the number of additional school sites and/or site development costs required to meet the net growth-related pupil place needs and the timing of proposed expenditures. Where the needs can be met through additions to existing facilities and where no additional land component is required, no sites are identified. However, in the latter circumstances, there may be site development costs incurred in order to accommodate enrolment growth. These costs will be included in the determination of “growth-related net education land costs” where appropriate.

**Step 11** - Determine the additional sites or acreage required and the basis upon which the CEPEO can acquire the lands.

## 2.2 Financial Component:

**Step 1** - Identify the land acquisition costs. Where purchase and sale agreements have been finalized, incorporate the agreed-upon price.

**Step 2** - Identify site development, site preparation and applicable study costs specified under 257.53(2) of the *Education Act*.

**Step 3** - Apply an appropriate indexation factor to site preparation/development costs to recognize increased labour and material costs over the 15-year forecast period. Apply an appropriate land escalation factor to site acquisition costs, over the term of the by-law (i.e. 5 years).

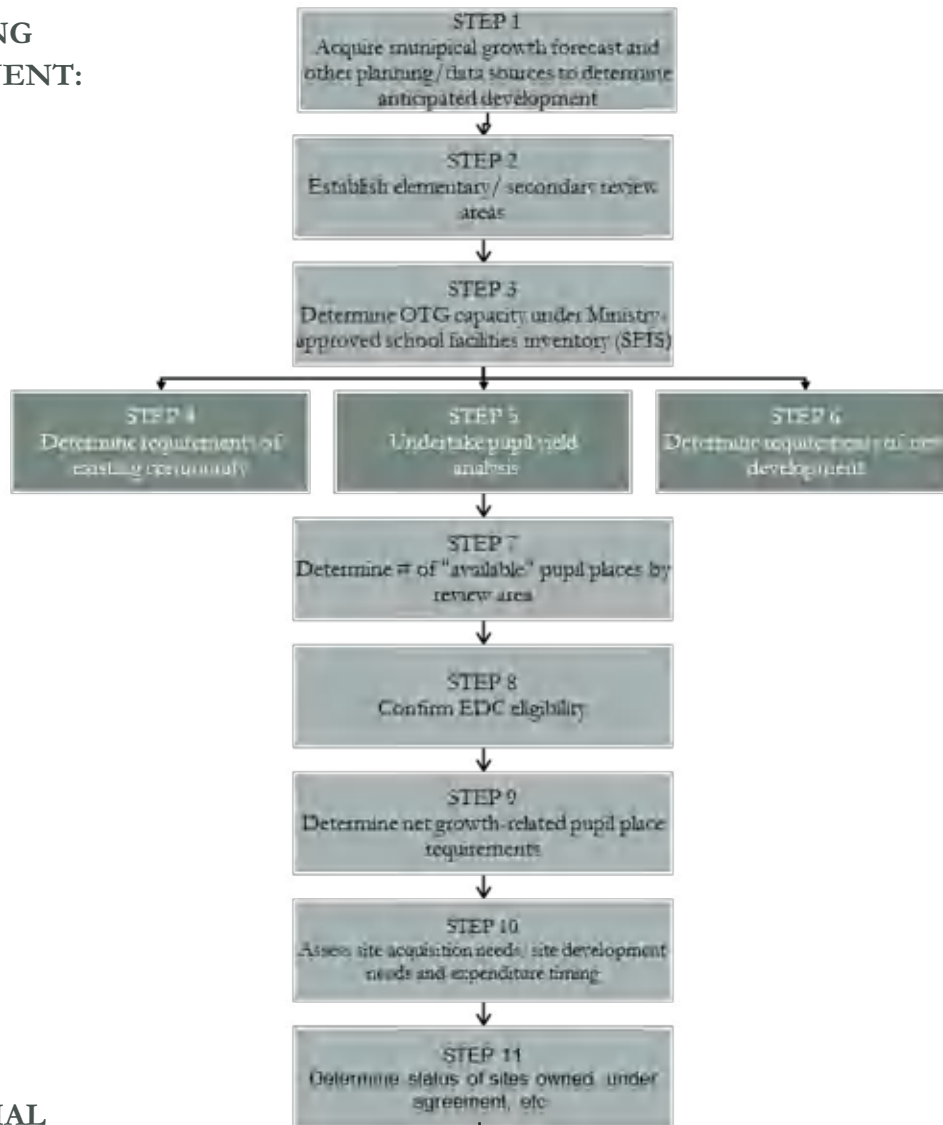
**Step 4** – For the second and all subsequent EDC by-laws, determine what amounts, if any, should be applied to reduce the charge resulting from any surplus funds in the existing EDC account which should be applied to reduce the charge.

Or determine if there is a negative balance in the account that needs to be applied to the EDC rates derived for the following by-law period.

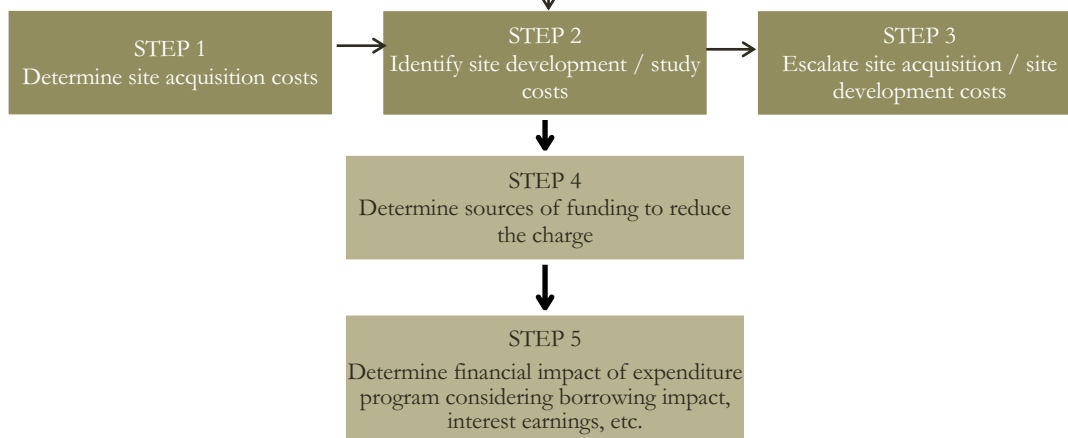
**Step 5** - Determine the quantum of the charge (both residential and non-residential if the Board intends to have a non-residential charge), considering borrowing impact (particularly where there is a significant deficit EDC account balance) and EDC account interest earnings by undertaking a cashflow analysis of the expenditure program over the 15-year forecast period. The cashflow analysis is consistent with a line of credit repayment approach, specifying the interest rate to be paid and the payback period. The determination of the appropriate EDC rate is designed to ensure that the Year 15 closing balance is as close to ‘\$0’ as possible.

**FIGURE 2-1  
EDC METHODOLOGICAL APPROACH**

**PLANNING  
COMPONENT:**



**FINANCIAL  
COMPONENT:**



<sup>1</sup> STEP 7 - Available pupil places, that, in the opinion of the Board, could reasonably be used to accommodate growth (section 7.3 of O. Reg 20/98 as amended)

## CHAPTER 3 - JURISDICTION OF THE BOARD

### 3.1 Legislative Provisions

Section 257.54(4) of the *Education Act* states that “an education development charge by-law may apply to the entire area of the jurisdiction of a board or only part of it.”

Despite this, “an education development charge by-law of the board shall not apply with respect to land in more than one region” if the regulations divide the area of the jurisdiction of the board into prescribed regions. In the case of the CEPEO each of the Unities Counties of Leeds and Grenville; Frontenac County and the City of Kingston; and Lennox and Addington County are separate ‘regions’ under the legislation and distinct from the remainder of the Board’s jurisdiction.

Finally, “education development charges collected under an education development charge by-law that applies to land in a region shall not, except with the prior written approval of the Minister, be used in relation to land that is outside that region” and “money from an EDC account established under section 16(1) of O. Reg. 20/98 may be used only for growth-related net education land costs attributed to or resulting from development in the area to which the EDC by-law applies” (as amended by O. Reg. 193/10).

The determination of proposed EDC rates found within this report is based on a regional area specific by-law charging structure.

Maps 3-1 and 3-2 found at the end of this chapter, outline the geographic jurisdiction analyzed in this EDC Background report and the elementary and secondary Review Areas (i.e. ‘regions’) used to determine growth-related education land costs.

### 3.2 Analysis of Pupil Accommodation Needs by “Review Area”

In order to attribute the number of pupil places that would be “available and accessible” to new development, within the areas in which development occurs, the Board’s jurisdiction has been divided into sub-areas, referred to in the EDC submission as “Review Areas.”

The total OTG capacity of all existing permanent accommodation is considered to be the total available capacity of the Board for instructional purposes and required to meet the needs of the existing community, as a first priority. Subsequently, the school board is entitled to recognize and remove any capacity that is not available to be used to accommodate growth-related pupils, provided that an explanation is given for the exclusion. As such, the use of permanent accommodation spaces within a review area is based on the following parameters:

1. The needs of the existing community (at the end of the 15-year forecast period) must take priority over the needs resulting from new development in the construction of additional pupil places.
2. Pupils generated from new development for the schools impacted by new housing construction fill any surplus available OTG capacity within their resident catchment area.
3. Pupils generated from new development within the review area must take priority over the “holding” accommodation needs of other review areas.



The remaining pupil spaces required as a result of new development within the review area, or net growth-related pupil place requirements, are to be potentially funded through education development charges.

There are four important principles to which the consultants have adhered to in undertaking the EDC calculation on a review area basis:

1. Capacity required to accommodate pupils from existing development should not be utilized to provide “temporary” or “holding” capacity for new development over the longer term; and
2. Pupils generated by new development should not exacerbate a board’s current accommodation problems (i.e., an increasing portion of the student population being housed in portables for longer periods of time); and
3. Board transportation costs should be minimized.
4. Determining where housing development has occurred, or is, expected to occur, and the specific school enrolments affected by this residential development.

The rationale for the review area boundaries for the elementary and secondary panels of the Board also gives consideration to the following criteria:

1. A desire by the Board to align feeder school patterns as students move from Kindergarten to elementary and secondary programs;
2. Current Board-approved school attendance boundaries and distance between schools;
3. Travel distances to schools consistent with the Board’s transportation policies;
4. Former municipal boundaries and manmade or natural barriers (e.g. existing or proposed major arterial roadways, expressways such as Highway 401, major river crossings, railway crossings, industrial areas, river valleys, escarpments, major environmental lands, etc.).

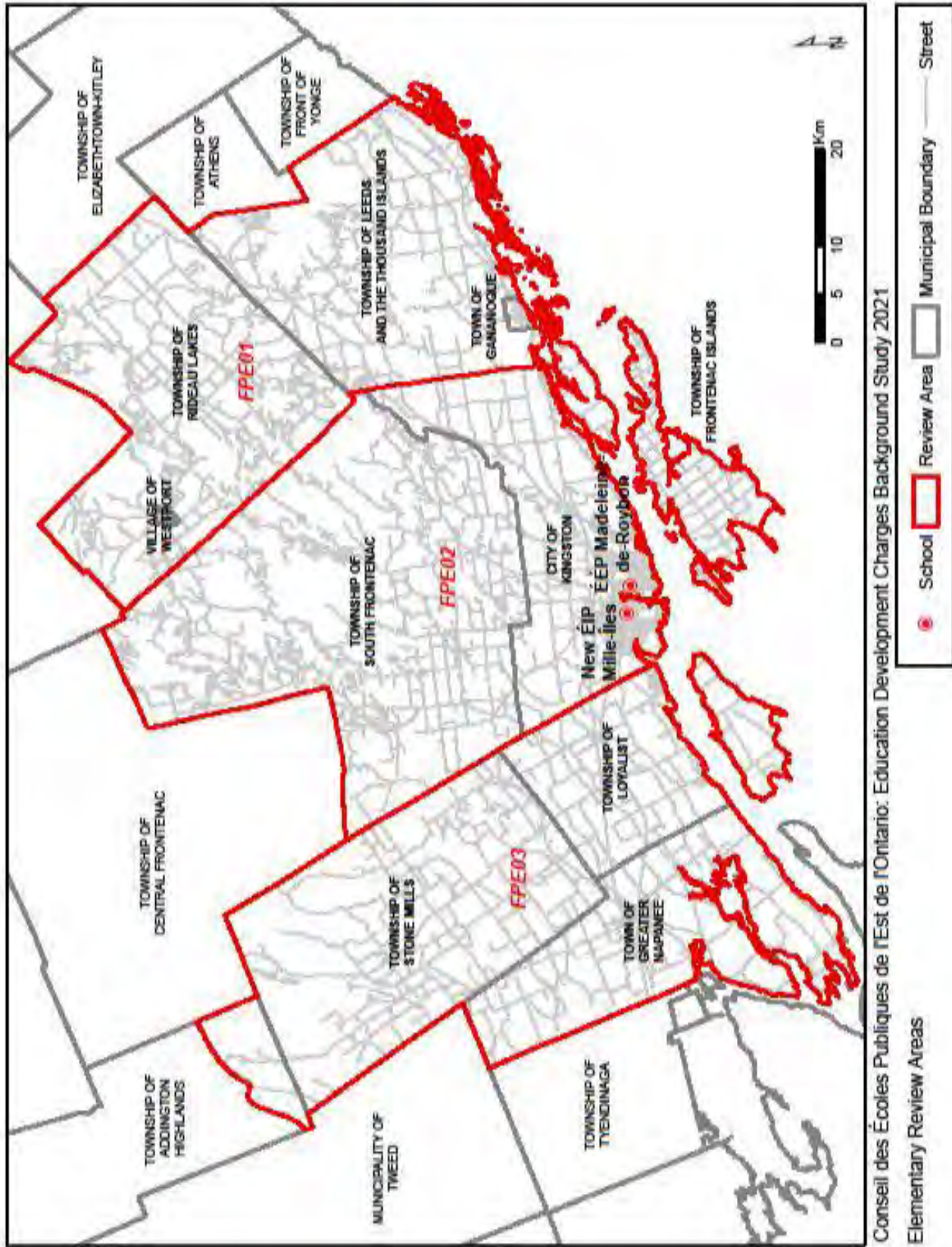
Secondary review areas are normally larger in size than elementary review areas due to the former having larger school facilities and longer transportation distances. Typically, a cluster of elementary schools are “feeder” schools for a single secondary facility. Each review area is further subdivided in order to determine the net growth-related pupil place needs. For example, the construction and occupation of a new elementary school in Kingston West will create two separate elementary attendance boundaries with pre-school pupils: east and west, with both elementary schools feeding into the new Mille-Îles secondary school.

It is noted that undertaking the determination of additional site requirements using a review area and a sub review-area approach is consistent with the way in which future capital construction needs for the Board will be assessed over the long term.

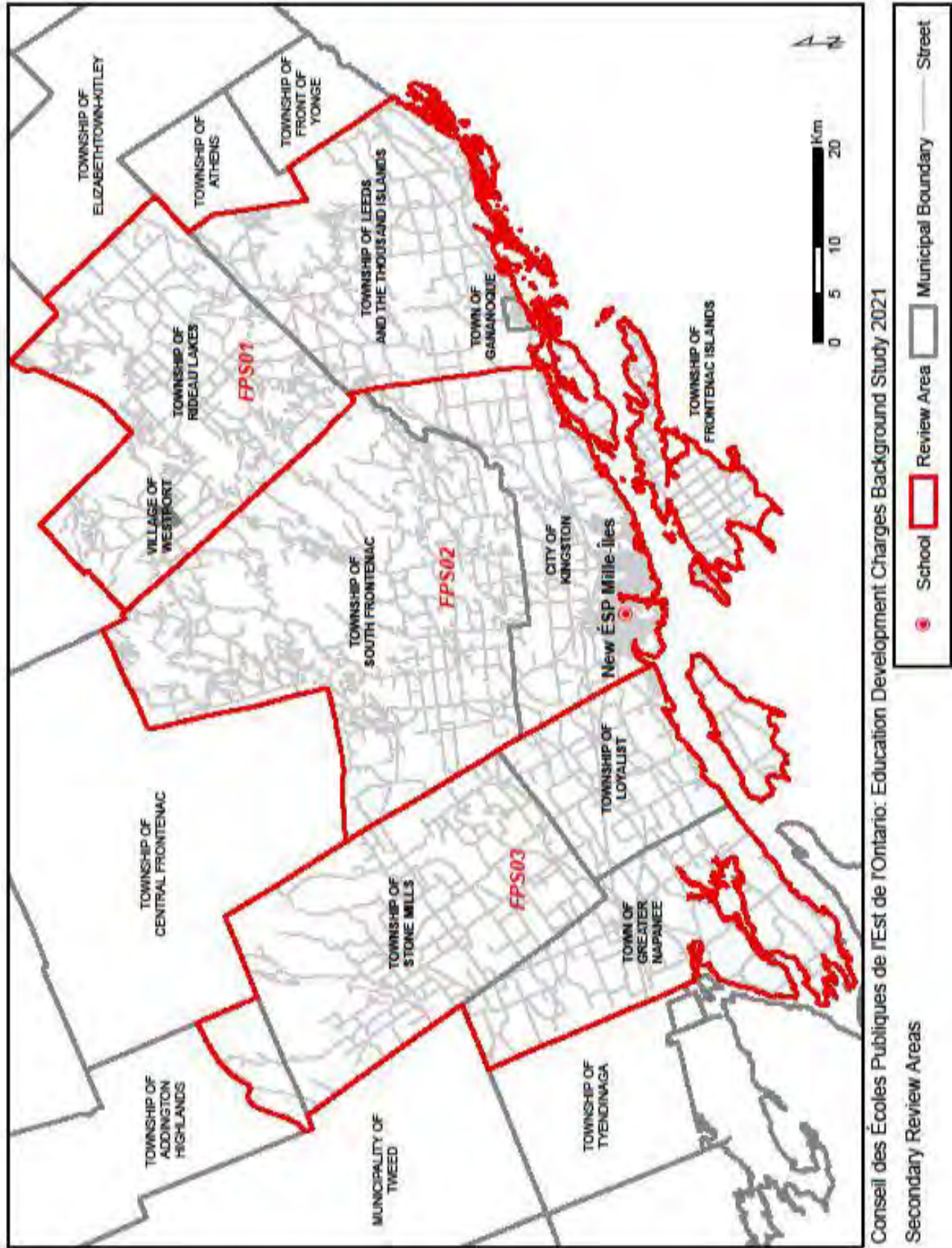
**TABLE 3-1 CEPEO EDCBY-LAW CHARGING  
AREAS**

<b>ELEMENTARY REVIEW AREAS</b>
FPE01 United Counties of Leeds & Grenville incl. Westport, Gananoque, Rideau Lakes (except South Elmsley), Leeds and the Thousand Islands
FPE02 South Frontenac Twsp, Frontenac Islands & City of Kingston
FPE03 County of Lennox & Addington south of Highway 7
<b>SECONDARY REVIEW AREAS</b>
FPS01 United Counties of Leeds & Grenville incl. Westport, Gananoque, Rideau Lakes (except South Elmsley), Leeds and the Thousand Islands
FPS02 South Frontenac Twsp, Frontenac Islands & City of Kingston
FPS03 County of Lennox & Addington south of Highway 7

Elementary and secondary overview maps are provided on the following two pages.



Map 3-1: Conseil des écoles publiques de l'Est de l'Ontario Elementary Review Areas



Conseil des Écoles Publiques de l'Est de l'Ontario: Education Development Charges Background Study 2021

Secondary Review Areas

Map 3-2: Conseil des écoles publiques de l'Est de l'Ontario Secondary Review Areas

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## CHAPTER 4 - RESIDENTIAL GROWTH FORECAST

### 4.1 Background

This section of the report deals with the 15-year forecast of residential and non-residential development for the mid-2021 to mid-2036 forecast period. The legislative requirements respecting EDC growth forecasts cite the need to identify the anticipated timing, location, and type of residential development, which are critical components of the overall EDC process due to the inextricable link between new units and new pupil places. The location of development is particularly important to the determination of additional growth-related site needs. Therefore, every effort was made to consider the most recent residential forecast information available. A detailed annual forecast of occupied dwelling units was undertaken by CEPEO school and by dwelling density type.

While the EDC legislation requires that the by-law rates be based on a 15-year forecast of building permits to which EDC charges would apply, the detailed housing forecast is also designed to address how net migration, re-gentrification due to aging population, shifts in perspectives on density choices and housing space needs, along with government housing policies and affordability, will affect housing occupancy over the longer term.

A forecast of new dwelling units in the area in which EDCs are to be imposed, over the 15-year forecast period, were derived giving consideration to:

1. Recent development charge studies and growth forecasts for upper tier, lower tier and separated municipalities, including:
  - a. Gananoque, Town: Historical Building permits and development activity Information supplied by Terry Willing, CBO July, 2020;
  - b. Leeds and Thousand Islands, Township; Rideau Lakes; Westport Village: Leeds and Grenville Official Plan Growth & Settlement Analysis, August, 2014 - Table 28
  - c. Frontenac Islands, Township: Population, Housing and Employment Projections Study, County of Frontenac, January, 2020 - Table 8-15, Figure D-4
  - d. South Frontenac, Township: Population, Housing and Employment Projections Study, County of Frontenac, January, 2020 - Table 8-15, Figure D-3
  - e. Kingston, City: Population, Housing and Employment Growth Forecast, 2016 to 2046, City of Kingston, March, 2019
  - f. Addington Highlands, Township and Township of Stone Mills: County of Lennox & Addington Official Plan, April, 2016 update - Table C
  - g. Greater Napanee, Town: Development Charges Update Background Report, Town of Greater Napanee, January, 2016 - Table 4A
  - h. Loyalist, Township: Population, Housing and Employment Projections to 2046, Loyalist Township, September, 2019
  - i. Population forecasts by age cohort as a basis for determining the proportionate share of market seniors housing to be constructed
  - j. City of Kingston Active Plans database provided by the City of Kingston

Board-specific pupil yields were applied to the forecast of new residential units within each school catchment area to determine how new residential development would impact future enrolment.

The EDC 15-year housing forecast suggests that an additional 12,977 net new occupied dwelling units will be added to the existing housing stock over the next fifteen years, at an average of 865 units per annum. Of the

total additional dwelling units, approximately 39.1% are anticipated to be low density (single and semi-detached), 11.6% medium density (row houses, townhouses, etc.), 45.5% high density apartment units, and the remaining 3.9% are statutorily-exempt secondary dwelling units. The EDC housing forecast is net of demolitions.

## 4.2 Legislative Requirements

As the legislation permits school boards to collect education development charges on both residential and non-residential development, both must be considered as part of the growth forecast as follows:

“An EDC background study shall include estimates of the anticipated amount, type and location of residential and non-residential development.”; (Section 257.61(2) of the *Education Act*)

“Estimate the number of new dwelling units in the area in which the charges are to be imposed for each of the 15 years immediately following the day the by-law comes into force.”; (O. Reg 20/98), Section 7(2)

“If charges are to be imposed on non-residential development, the board shall determine the charges and the charges shall be expressed as either:

- (a) a rate applied to the gross floor area (GFA) of the development;
- (b) a rate applied to the declared value of development.” (O. Reg. 20/98), Section 7(10)

“If the board intends to impose different charges on different types of residential development, the board shall determine the percentage of the growth-related net education land cost to be funded by charges on residential development, and that is to be funded by each type of residential development.” (O. Reg. 20/98), Section 9.1

“The Board shall choose the percentage of the growth-related net education land costs that is to be funded by charges on residential development and the percentage, if any, that is to be funded by the charges on non-residential development. The percentage that is to be funded by non-residential development shall not exceed 40 percent.” (O. Reg. 20/98), Section 7(8)

The foregoing legislative parameters are also subject to the ‘legislative ‘cap’ that was enacted by the Province on November 1, 2019.

### **Statutory Residential Exemptions:**

#### *Additional Dwelling Unit Exemption –*

Section 257.54 (3) of the *Education Act* exempts, from the imposition of education development charges, the creation of two additional dwelling units within an existing single detached dwelling (i.e. the conversion of a single unit to a duplex or triplex), or one additional dwelling unit within a semi-detached, row dwellings and other residential building.

#### *Replacement Dwelling Unit Exemption –*

Section 4 of O. Reg 20/98 requires that the Board exempt from the payment of education development charges, the ‘replacement, on the same site, a dwelling unit that was destroyed by fire, demolition or otherwise, or that was so damaged by fire, demolition or otherwise as to render it uninhabitable’, provided

that the replacement building permit is issued within two years that the dwelling unit was destroyed or became uninhabitable. The forecast of net new units is net of demolitions.

### 4.3 Residential Growth Forecast and Forms B and C

Table 4-1 summarizes the housing forecast by unit type for the mid-2021 to mid-2036 by 'region', each of which is treated as a separate elementary and secondary review area.

**FORM B & C**  
**Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area**  
**Education Development Charges Submission 2021**  
**Forms B/C - Dwelling Unit Summary**

**PROJECTION OF NET NEW DWELLING UNITS<sup>1</sup>**

	Year 1 2021/ 2022	Year 2 2022/ 2023	Year 3 2023/ 2024	Year 4 2024/ 2025	Year 5 2025/ 2026	Year 6 2026/ 2027	Year 7 2027/ 2028	Year 8 2028/ 2029	Year 9 2029/ 2030	Year 10 2030/ 2031	Year 11 2031/ 2032	Year 12 2032/ 2033	Year 13 2033/ 2034	Year 14 2034/ 2035	Year 15 2035/ 2036	Total All Units
<b>Total Kingston West Catchment Area</b>																
Singles and Semi-Detached	374	377	369	384	381	388	392	392	351	355	321	327	324	272	270	5,277
Townhouses, Row Housing, etc.	103	109	111	113	110	120	113	111	109	99	98	102	104	79	79	1,560
Apartments	414	379	382	408	593	509	281	415	339	295	303	285	409	564	564	6,140
<b>Total</b>	<b>891</b>	<b>865</b>	<b>862</b>	<b>905</b>	<b>1,084</b>	<b>1,017</b>	<b>786</b>	<b>918</b>	<b>799</b>	<b>749</b>	<b>722</b>	<b>714</b>	<b>837</b>	<b>915</b>	<b>913</b>	<b>12,977</b>
<b>FPB01 United Counties Leeds &amp; Grenville incl. Westport, Gananogue, Rideau Lakes (except South Emsley), Leeds and the Thousand Islands</b>																
Singles and Semi-Detached	55	56	49	56	56	46	50	57	51	56	41	45	42	51	51	762
Townhouses, Row Housing, etc.	2	10	6	2	1	15	5	4	7	1	2	8	7	3	3	76
Apartments	58	40	10	37	35	35	5	32	32	40	50	32	30	42	42	520
<b>Total</b>	<b>115</b>	<b>106</b>	<b>65</b>	<b>95</b>	<b>92</b>	<b>96</b>	<b>60</b>	<b>93</b>	<b>90</b>	<b>97</b>	<b>93</b>	<b>85</b>	<b>79</b>	<b>96</b>	<b>96</b>	<b>1,358</b>
<b>FPB02 South Frontenac Twsp, Frontenac Islands &amp; City of Kingston</b>																
Singles and Semi-Detached	199	201	201	208	206	218	218	212	176	175	171	172	172	112	110	2,751
Townhouses, Row Housing, etc.	54	54	56	62	62	60	61	60	53	51	53	52	53	29	29	789
Apartments	331	314	347	346	533	450	252	359	283	231	231	231	356	499	499	5,262
<b>Total</b>	<b>584</b>	<b>569</b>	<b>604</b>	<b>616</b>	<b>801</b>	<b>728</b>	<b>531</b>	<b>631</b>	<b>512</b>	<b>457</b>	<b>455</b>	<b>455</b>	<b>581</b>	<b>640</b>	<b>638</b>	<b>8,802</b>
<b>FPB03 County of Lennox &amp; Addington south of Highway 7</b>																
Singles and Semi-Detached	120	120	119	120	119	124	124	123	124	124	109	110	110	109	109	1,764
Townhouses, Row Housing, etc.	47	45	49	49	47	45	47	47	49	47	43	42	44	47	47	695
Apartments	25	25	25	25	25	24	24	24	24	24	22	22	23	23	23	358
<b>Total</b>	<b>192</b>	<b>190</b>	<b>193</b>	<b>194</b>	<b>191</b>	<b>193</b>	<b>195</b>	<b>194</b>	<b>197</b>	<b>195</b>	<b>174</b>	<b>174</b>	<b>177</b>	<b>179</b>	<b>179</b>	<b>2,817</b>

<b>Grand Total Gross New Units in By-Law Area</b>	<b>13,498</b>
<b>Less: Statutorily Exempt Units in By-Law Area</b>	<b>521</b>
<b>Total Net New Units in By-Law Area</b>	<b>12,977</b>

Notes: 1. As summed to be net of demolitions and conversions. Statutory exemptions include secondary dwellings that are ancillary to, or as part of an existing dwelling unit.



## CHAPTER 5 - DEMOGRAPHIC TRENDS, FUTURE ENROLMENT EXPECTATIONS & AVAILABLE CAPACITY

### 5.1 Demographic and Enrolment Trends

The Conseil des écoles publiques de l'Est de l'Ontario provides French-language education services in the City of Kingston, drawing students from the southwestern portion of the United Counties of Leeds and Grenville; the County of Frontenac (south of Central Frontenac); and Lennox and Addington County south of Highway 7. The CEPEO has a 2020/21 preliminary (based on September 2020 enrolments) enrolment of 594 pupils (533 elementary headcount and 61 secondary ADE) and currently operates 2 schools within the City of Kingston.

#### 5.1.1 Overview

The consultants were retained to prepare long term (i.e., 15-year) enrolment projections for the Board. The analysis set out herein examines both historic demographic and enrolment trends within the Board's jurisdiction. The determination of 15-year enrolment projections uses a spatial matching of historical CEPEO student data with MPAC housing data (i.e. by period of occupancy and density type), in order to derive the number of CEPEO pupils to be generated by new housing development and to determine appropriate by school, by grade enrolments over the 2021/22 through 2035/36 school years. In communities where there is insufficient data to conclude pupil yields for the CEPEO, an additional comparison of the percentage of French language supporters in Ottawa communities versus Kingston communities was undertaken.

The key elements of historical trends (both demographic and enrolment) are examined below. Firstly, *demographic trends* are assessed in terms of:

What has been the *change in pre-school and school age population*, for the jurisdiction as a whole, and for sub-geographies within the Board's jurisdiction? Many school boards can, and will experience areas of school age population growth, offset by areas of decline. Further, it is possible to experience growth in secondary school age children due to in-migration, but a decline in elementary school age population.

More importantly, what has been the *change in pre-school and school age population per household*? It is possible to experience significant new housing construction and yet experience a decline in school age population per household due to an aging population driving the demand for a portion of the new housing. As noted throughout this report, it is possible to experience an increase on children per household in high-rise developments due to reduced housing affordability.

How have *migrations trends* changed, as a whole and by age cohort? How has the economy affected the in-migration and out-migration of female persons between the ages of 20 to 35 (i.e., those who account for the majority of the household births)? How have the opportunities for work-from-home affected where people choose to live and how has this affected intra-Provincial migration trends? Has the *ethnic make-up of the migrant population* changed and, if so, how might this affect projected enrolment? What is the *religious affiliation of the migrant population*? It should be noted that religion is only asked every second Census undertaking and will be asked during the May 2021 Census undertaking.

How has the *birth rate* (i.e., the number of children born annually) and the *fertility rate* (i.e., the number of children a female is likely to have in her lifespan) changed for particular age cohorts? For example, in many areas, the birth rate has declined in recent years, while the fertility rate in females over the age of 35 has been increasing. Generally, the data indicates that, for the majority of the Province, women are initiating family formation later on in life and, in turn, having fewer children overall.

Secondly, *enrolment trends* are assessed in terms of:

How has the *grade structure ratio* (i.e., the number of pupils entering Junior Kindergarten versus the number of students graduating Grade 8) of the Board changed?

Have changes in *program delivery* affected the Board's enrolment patterns?

How has the Board's *share of elementary/secondary enrolment* changed vis-à-vis the co-terminous boards and private school/other enrolment?

### 5.1.2 Population and Housing

Statistics Canada population and dwelling unit data related to the 2011 and 2016 Census undertakings is provided in Table 5-1. This information is one of the sources of the school and pre-school age population trends discussed herein as they relate to the CEPEO's jurisdiction.

Table 5-1 compares the pre-school and school age population between 2011-2016 Census periods, illustrating the changing trends which will impact future enrolment growth for the Board.

Within the City of Kingston and the portions of the three surrounding Counties where the proposed EDC by-law will apply, the pre-school age population (ages 0-4) decreased by 305 persons between 2011 and 2016. The elementary school age population (ages 5-14) increased by 150 persons, and the secondary school age population (ages 15-19) decreased by 2,040 persons. However, it is noted that the decline in overall school-age population may include areas of student enrolment growth.

**Table 5-1**

<b>Proposed By-law Charging Area</b>	<b>2011 Census</b>	<b>2016 Census</b>
Pre-school (0-4 year olds)	10,000	9,695
Elementary (5-14 year olds)	20,970	21,120
Secondary (15-19 year olds)	13,550	11,510

## 5.2 15-year Student Enrolment Projections and Pupil Accommodation Needs

The end of this chapter summarizes the elementary and secondary 15-year EDC enrolment projections for the CEPEO as they pertain to the proposed by-law charging area.

### 5.2.1 Methodology

The derivation of by-school and by-grade enrolment projections consists of two distinct methodological elements. The first, which is consistent with industry standards, follows a retention rate approach to determine how the existing pupils of the Board (i.e. pupils residing in existing housing within the Board's jurisdiction, as well as any pupils who reside outside of the Board's jurisdiction but attend schools of the Board) would move through each grade and transition from the elementary to the secondary panel, including any shifts in apportionment moving from elementary to secondary school programs. This element of the enrolment projection methodology is known as the "Requirements of the Existing Community." Some of

these pupils attend schools where temporary holding spaces have been provided in anticipation of the construction of new pupil places in their resident area, once funding approval is provided by the Province.

The second part of the projection exercise is to determine how many pupils would be generated by additional housing development over the forecast period, and what portion of these pupils would potentially choose to attend schools of the Board. This element of the forecasting exercise is known as the “Requirements of New Development” (ROND). The EDC Guidelines require that each projection element be examined separately and subsequently combined to determine total projected enrolment. The methodological approach to each element is examined in depth below.

### **Requirements of the Existing Community**

The enrolment projections of the existing community are intended to reflect the predicted change in enrolment pertaining to housing units that have previously been constructed and occupied within the Board’s jurisdiction.

The key components of the existing community projection model are:

1. Enrolment projections disaggregated by sub-geography (i.e., review areas) and by school.
2. Historic average daily enrolment by school and by grade. This information is provided by the Board and is based on initial Fall 2020 enrolments (as well as previous years enrolment given that the Fall 2020 student enrolment data may be skewed due to the pandemic). The enrolment summaries are used to determine how changes in the provision of facilities and programs, as well as school choice, have affected student enrolment to date. This information also provides perspectives on how board apportionment has changed throughout the jurisdiction and by sub-area.
3. Historic retention rates by school, by grade and by program -- has the number of students moving through from grade to grade been more or less than previous years? Have changes to program offering affected the Board’s share of enrolment at any particular school, or more recent retention rates of any school or particular grade?
4. Feeder school retentions for each elementary and secondary school -- this includes pupils feeding into specialized programs and from elementary schools into secondary schools. Typically Grade 8 students are directed to a preferred secondary school based on a board’s attendance boundaries. However, “open access” policies at the secondary level often permit students to attend their school of choice (which could include a co-terminous board’s secondary school).
5. Historical enrolment anomalies and the ability to document unusual shifts in enrolment at any individual school due to changes in program, staffing, transportation policies, capital improvements, etc.
6. Review student holding situations and make adjustments to reflect future changes to attendance boundaries as new pupil places are constructed.
7. Review draft enrolment projections by school, by grade and by program with the Board and compare to Board-prepared student enrolment projections. Adjust retention and subscription assumptions for individual schools where necessary.

## **Requirements of New Development**

The projected enrolment supporting the “Requirements of New Development” is intended to determine the number of pupils that would occupy new housing development, and the percentage of these pupils that are likely to attend schools of the Board. Some of these pupils may be held in existing schools of the Board, awaiting the opening of new resident-area schools.

The key components of the new development projection model are outlined below.

1. Pupil yield cycles derived from historical CEPEO student data spatially matched to MPAC housing data by period of housing construction over the last 15-years (to derive 15-year pupil yield cycles), by density type and by Review Area. The pupil yields cycles were subsequently applied to the housing forecast by school catchment area.
2. An analysis of the percentage of french language supporters in Ottawa communities versus the Kingston catchment area communities was undertaken, due to lack of sample size in the adjacent Counties and South Frontenac.
3. The total Requirements of New Development plus Requirements of the Existing Community were peer reviewed against the Ministry of Finance (MoF) school-aged population projections.

## **The New Unit Pupil Yield Cycle**

Figure 3 translates the impact of the single detached unit occupancy trend to a conceptual representation of the pupil yield cycle for these types of dwelling units. This figure illustrates a typical yield cycle for a new single detached dwelling unit, commencing at initial occupancy of the unit. In reality, there are several variables that affect the overall pupil yield cycle. Firstly, most new communities are constructed over periods of 5 to 15 years, so that the aggregated overall pupil yield of even a community comprised entirely of single detached units will represent an amalgamation of units at different points on the pupil yield cycle. It should be noted that new communities are generally comprised of:

- Units constructed and occupied at different times;
- Development of varying densities (low, medium or high);
- There are particular types of units with low, or no, “initial” yield occupancies (e.g., adult lifestyle, recreational, granny flats, etc.).

The second variable is that there are basically two pupil yield cycles that have historically affected single detached units in newer communities: the primary cycle, which occurs over the (approximate) first 15-20 years of community development; and the sustainable cycle, which occurs after that point.

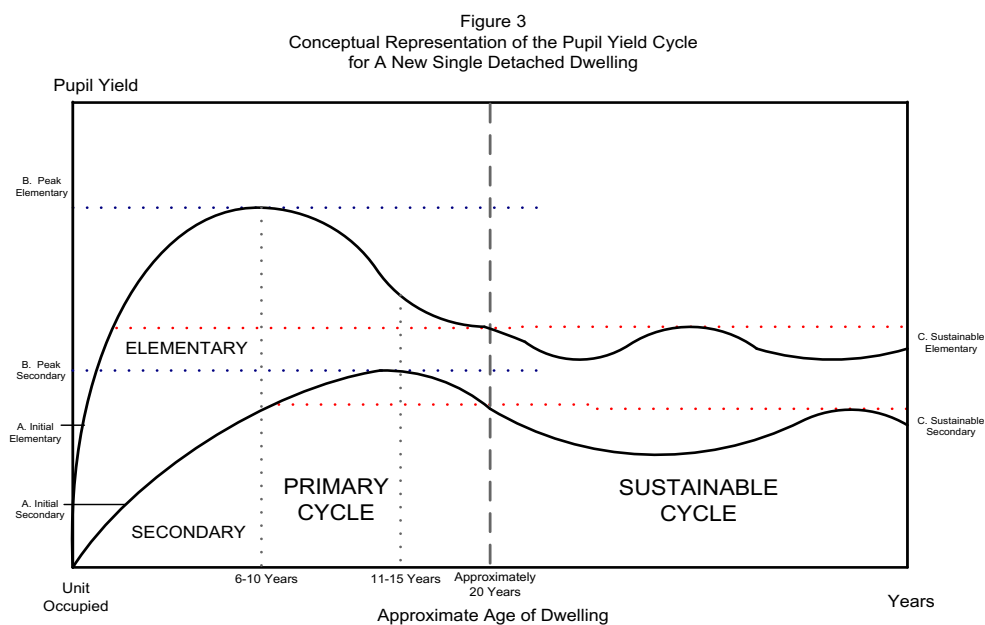
The primary yield cycle for elementary pupil yields in new single detached units generally peaks within the first 7 to 10 years of community development, depending on the timing of occupancy of the units. Recent demographic and occupancy trends, however, suggest that the family creation process is being delayed as many families are postponing having children and also having fewer children (as witnessed by declining fertility rates). However, the age structure of the immigrant population can have a compelling impact on pupil yields.

“Peak” yields may remain relatively constant over several years, particularly in periods of sustained economic growth. Eventually, however, the elementary yield would gradually decline until it reaches the end of the initial yield cycle and moves to the first stage of the sustainable yield cycle. The initial yield cycle of secondary

pupil generation peaks in approximately year 12 to 15 of new community development (depending on the timing of occupancy of the units), and experiences a lower rate of decline than the elementary panel, before reaching the sustainable yield cycle.

The second phase, the sustainable yield cycle for both the elementary and secondary panels appears to maintain the same peaks and valleys. However, the peak of the sustainable cycle is considerably lower than the primary peak for the community.

Accordingly, the overall blended pupil yield for a single community will incorporate the combination of these factors. Pupil yields applicable to different communities will vary based on these (and other) demographic factors. Pupil generation in the re-occupancy of existing dwelling units can vary from its initial occupancy. For these reasons, an overall pupil yield generally reflects a weighting (i.e. the proportion of low, medium and high-density units constructed each year) and blending of these variables. There is a need to track how neighbourhoods with an increased aged population and increases due to net migration, will change over time.



### **Total Student Enrolment Projections**

The projected “requirements of the existing community” are added to the total “requirements of new development” by school and by grade, to determine total projected enrolment over the forecast period.

This information is reviewed in detail with Board staff. The enrolments are adjusted, where necessary as previously noted.

#### **5.2.2 Summary of Board Enrolment Projections**

Summaries of the total 15-year EDC enrolment, for the CEPEO, are provided in Table 5-2 and for the elementary and secondary panels. The total EDC elementary enrolment projections indicate that by the end of the 15-year forecast period, the Board will have a total enrolment of 1,193 students for an increase of 721 students from the projected 2020/21 enrolment of 594. The Board is expected to experience an increase of

about 196 students in the existing community, which is projected to be enhanced by an additional 184 pupils from new housing development, which is an overall pupil yield of 0.0142. This information reflects JK-8 enrolments.

For the Grade 9-12 programs, the CEPEO EDC projections forecast an increase of 188 students in the existing community and 31 additional students to come from new development over the next 15 years. This results in total projected year 15 enrolment of 1,193 students, or an increase of about 721 students from the projected 2020/21 enrolment.

**Table 5-2**  
**Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area**  
**Historical and Projected Enrolment**

	Current	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
	2020/ 2021	2021/ 2022	2022/ 2023	2023/ 2024	2024/ 2025	2025/ 2026	2026/ 2027	2027/ 2028	2028/ 2029	2029/ 2030	2030/ 2031	2031/ 2032	2032/ 2033	2033/ 2034	2034/ 2035	2035/ 2036
Elementary Panel	533	559	564	587	602	620	628	642	649	672	688	703	716	721	726	729
Existing Requirements of New Development	13	27	40	53	67	80	94	107	120	132	143	155	166	175	184	184
<b>Total</b>	<b>533</b>	<b>573</b>	<b>591</b>	<b>627</b>	<b>655</b>	<b>686</b>	<b>708</b>	<b>736</b>	<b>756</b>	<b>791</b>	<b>820</b>	<b>846</b>	<b>871</b>	<b>888</b>	<b>901</b>	<b>913</b>

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	Current	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
	2020/ 2021	2021/ 2022	2022/ 2023	2023/ 2024	2024/ 2025	2025/ 2026	2026/ 2027	2027/ 2028	2028/ 2029	2029/ 2030	2030/ 2031	2031/ 2032	2032/ 2033	2033/ 2034	2034/ 2035	2035/ 2036
Secondary Panel	61	65	77	98	116	147	176	199	225	223	218	218	210	227	238	249
Existing Requirements of New Development	2	5	7	9	11	14	16	18	20	22	24	24	26	28	30	31
<b>Total</b>	<b>61</b>	<b>67</b>	<b>81</b>	<b>105</b>	<b>125</b>	<b>158</b>	<b>190</b>	<b>215</b>	<b>243</b>	<b>243</b>	<b>240</b>	<b>243</b>	<b>236</b>	<b>255</b>	<b>267</b>	<b>280</b>

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### 5.3 Determining Surplus and Available Pupil Places

The legislation requires that a school board provide an explanation if the permanent OTG capacity being used in completing the EDC submission differs from what is reported in the School Facilities Inventory System (SFIS).

#### Determination of Surplus and Available Pupil Places

The Conseil des écoles publiques de l'Est de l'Ontario (CEPEO) provides JK-12 educational services in the City of Kingston, drawing students from parts of Frontenac County north of Hwy 401; the western portion of the United Counties of Leeds and Grenville and the area south of Highway 7 in Lennox and Addington County. The same catchment area has been used for the purposes of determining projected student enrolment over the 2021/22 through 2035/36 forecast period.

The CEPEO operates two (2) existing schools in Kingston:

1. Madeleine-de-Roybon, a JK-6 school owned by the Board and located at 72 Gilmour Avenue, Kingston
2. Temporary Mille-Îles, a Gr 7-12 school currently leased from the Algonquin and Lakeshore Catholic DSB and located at 159 Patrick Street, Kingston

Madeleine-de-Roybon was acquired from the Limestone DSB in 2009 and was originally established as a JK-12 school for the Board. In 2018, the Province announced funding to construct a new Mille-Îles school located at 1290 Wheathill St. Kingston and scheduled to open in April 2023. The new Mille-Îles school will be constructed as a joint school with the French Catholic board's Marie-Rivier on a 13-acre site. In addition, a new elementary school site has been designated as part of the Woodhaven Phase 4 subdivision – a 7.65-acre site, which is the subject of the proposed EDC by-laws.

The 15-year student enrolment projections are based on the number of net new dwelling units expected to be constructed within the by-law charging areas<sup>1</sup>, and consistent with municipal and County housing forecasts. The EDC enrolment projections are considered conservative in that:

1. Madeleine-de-Roybon experienced increased enrolment of 181% in the 10-year period following the acquisition of the school by the CEPEO in 2009. The EDC projections do not assume a similar trajectory for the opening of the second elementary school in Kingston West. However, it must be noted that the CEPEO has been highly successful in attracting sufficient students to operate fully utilized schools when constructing new pupil places.
2. The CEPEO has a child care waiting list of 116 children in addition to the 35 children currently enrolled at Madeleine-de-Roybon. As such, the Board expects to build 10 additional child care classrooms in Madeleine-de-Roybon and in the new Kingston West elementary school.
3. Historically, the CEPEO has experienced a significant reduction in retention rates moving from the elementary to the secondary panel. The opening of the new Mille-Îles school is expected to mitigate

<sup>1</sup> The portion of United Counties of Leeds and Grenville which includes Town of Gananoque, the Township of Leeds and The Thousand Islands, the Township of Rideau Lakes (except South Elmsley); and the Town of Westport; the City of Kingston, the South Frontenac and the Frontenac Islands portion of the County of Frontenac (*Education Act* refers to as the Frontenac Management Board (as of January 7, 1997); the portion of Lennox and Addington County that includes the Town of Greater Napanee, the Township of Loyalist including Amherst Island and the Township of Stone Mills south of Highway 7.

this historical decline and may affect the Board’s ability to structure Kingston schools as JK-6 and Gr 7-12 in future (i.e. there may insufficient space at the new Mille-Îles school to accommodate Grades 7/8 students).

4. The ability to work from home has resulted in the outmigration of families from urban centers to places like Kingston. More residential units are being built in Kingston and Napanee than was anticipated in the Council-approved housing forecasts used in this study. The City of Kingston is actively working to increase housing supply pursuant to a March, 2020 Task Force report.
5. Completion of the Cataraqui River Third Crossing in 2022 will shorten the transportation times and distances for students residing on the east side of the catchment area and this may increase student enrolment beyond the projections prepared as part of the EDC study.

The following table shows the 15-year EDC enrolment projections by panel: elementary (JK-8) and secondary (Gr 9-12).

#### Historical and Projected Enrolment

Elementary Panel	Current 2020/ 2021	Year 5 2025/ 2026	Year 10 2030/ 2031	Year 15 2035/ 2036
Existing	533	620	688	729
Requirements of New Development		67	132	184
<b>Total</b>	<b>533</b>	<b>686</b>	<b>820</b>	<b>913</b>

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Secondary Panel	Current 2020/ 2021	Year 5 2025/ 2026	Year 10 2030/ 2031	Year 15 2035/ 2036
Existing	61	147	218	249
Requirements of New Development		11	22	31
<b>Total</b>	<b>61</b>	<b>158</b>	<b>240</b>	<b>280</b>

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The following shows the anticipated changes to the available permanent capacity available to accommodate CEPEO students within the City of Kingston. The table shows the capacity once the new Mille-Îles school opens, as well as changes to the capacity loading of Madeleine-de-Roybon post conversion of 7 classrooms currently loaded at 23 pupils per classroom to create 5 additional child care rooms and a library (subject to Capital Priorities funding approval).



## CEPEO Kingston Schools OTG Capacity Analysis

SCHOOL NAME	ADDRESS	OTG Capacity	2035/36 Projected Student Enrolment	Yr 15 Capacity Shortfall
<b>SFIS OTG Capacity as February, 2021</b>				
ÉÉP Madeleine-de-Roybon (JK-6)	72 Gilmour Avenue, Kingston	527		
ÉIP Mille-Îles (Gr 7/8)	158 Patrick St., Kingston (leased)	46		
ÉSP Mille-Îles (9-12)	158 Patrick St., Kingston (leased)	84		
<b>Totals</b>		657	1193	<b>-536</b>
<b>SFIS OTG Capacity Post Opening of New Mille-Îles in 2023</b>				
ÉÉP Madeleine-de-Roybon (JK-6)	72 Gilmour Avenue, Kingston	527		
ÉIP Mille-Îles (Gr 7/8)	1290 Wheathill St., Kingston	46		
ÉSP Mille-Îles (9-12)	1290 Wheathill St., Kingston	274		
<b>Totals</b>		847	1193	<b>-346</b>
<b>SFIS OTG Capacity Post Conversion of Madeleine-de-Roybon as a stand-alone elementary school</b>				
ÉÉP Madeleine-de-Roybon (JK-6) plus 8 pre-school classrooms to accommodate 81 pupils + 16 ROND	72 Gilmour Avenue, Kingston	366		
ÉIP Mille-Îles (Gr 7/8)	1290 Wheathill St., Kingston	46		
ÉSP Mille-Îles (9-12)	1290 Wheathill St., Kingston	274		
Pre-school enrolment from new development Madeleine-de-Roybon			16	
Pre-school enrolment from new development new Kingston West			22	
Pre-school enrolment waiting list for new Kingston West school			69	
<b>Totals</b>		686	1300	<b>-614</b>
<b>SFIS OTG Capacity Post Opening of New Kingston West elementary school in 2025</b>				
ÉÉP Madeleine-de-Roybon (JK-6) plus 8 pre-school classrooms to accommodate 81 pupils + 16 ROND	72 Gilmour Avenue, Kingston	366		
new Kingston West elementary school	Woodhaven Phase 4 subdivision Block 151	366		
ÉIP Mille-Îles (Gr 7/8)	1290 Wheathill St., Kingston	46		
ÉSP Mille-Îles (9-12)	1290 Wheathill St., Kingston	274		
Pre-school enrolment from new development Madeleine-de-Roybon			16	
Pre-school enrolment from new development new Kingston West			22	
Pre-school enrolment waiting list for new Kingston West school			69	
<b>Totals</b>		1052	1300	<b>-248</b>

For the purposes of the EDC study, the OTG capacity for Madeleine-de-Roybon was reduced from 527 to 366 – a reduction of 7 regular classrooms. This includes the converting 5 existing classrooms to accommodate 5 additional child care rooms plus storage, and converting 2 classrooms to create a right-sized library. Further, there will be a need to provide 5 child care classrooms within the new Kingston West school. As such, the Board has determined that there are no surplus and available pupil places for the purposes of determining growth-related EDC site needs in the Kingston catchment area, except at the secondary level and there are no more 40 surplus Gr 9-12 spaces, or less if 1 classroom is designated as special education programs.

It is not known at this time whether the grade structure of the new Kingston West elementary school will be JK-8 or JK-6 given the Board's ability to attract students when new pupil places are constructed. Further, the CEPEO has historically experienced a reduction in retention rates moving from the elementary to secondary panel. The opening of the new Mille-Îles school is expected to mitigate this historical decline and may affect the Board's ability to structure Kingston schools as JK-6 and Gr 7-12 in future (i.e. the enrolment projections suggest that there would be insufficient space at the new Mille-Îles school to accommodate all Grade 7 & 8 pupils).



## CHAPTER 6 - SITE REQUIREMENTS AND VALUATION

### 6.1 Legislative Requirements

The steps set out in section 7 of O. Reg. 20/98 for the determination of an education development charge, require the Board to “...estimate the net education land cost for the elementary/secondary school sites required to provide pupil places for the new school pupils.”

Section 257.53(2) specifies the following as education land costs if they are incurred or proposed to be incurred by a Board:

1. Costs to acquire land or an interest in land, including a leasehold interest, to be used by the board to provide pupil accommodation.
2. Costs 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.
3. Costs to prepare and distribute education development charge background studies as required under this Division.
4. Interest on money borrowed to pay for costs described in items 1 and 2.
5. Costs to undertake studies in connection with an acquisition referred to in item 1.

Only the capital component of costs to lease land or to acquire a leasehold interest is an education land cost.

Under the same section of the Act, the following are not education land costs:

1. Costs of any building to be used to provide pupil accommodation;
2. Costs that are attributable to excess land of a site that are “not education land costs.” (section 2 subsection 1 of O. Reg. 20/98).

However, land is not excess land if it is reasonably necessary,

- (a) to meet a legal requirement relating to the site; or
- (b) to allow the facilities for pupil accommodation that the board intends to provide on the site to be located there and to provide access to those facilities.

The exception to this is:

- (a) land that has already been acquired by the board before February 1, 1998, or
- (b) land in respect of which there is an agreement, entered into before February 1, 1998, under which the board is required to, or has an option to, purchase the land.

Finally, the Regulation specifies the following site sizes:

Elementary schools	
Number of Pupils	Maximum Area (acres)
1 to 400	4
401 to 500	5
501 to 600	6
601 to 700	7
701 or more	8

Secondary Schools	
Number of Pupils	Maximum Area (acres)
1 to 1000	12
1001 to 1100	13
1101 to 1200	14
1201 to 1300	15
1301 to 1400	16
1401 to 1500	17
1501 or more	18

In some instances, Boards may require site sizes in excess of the maximum prescribed above, in that a portion of the school site may be undevelopable (e.g. environmentally sensitive lands, woodlots, utility corridors, etc.). French-language school boards may acquire larger school sites in anticipation of the potential to create school campuses if future enrolment warrants (i.e. two schools on one site offering JK-12 programs). Changes to program offering may translate into larger school buildings footprints, increased playfield space, parking spaces, site access, etc. that would require larger school sites. The EDC legislation deals with the acquisition of school sites exceeding the acreage benchmarks outlined above. School site sizes need to be determined on a site-specific basis and may be more or less than specified in the table above.

Further, a school may include spaces for both extended day program as well as third party programs such as child care spaces. These spaces add to the overall footprint of the school building not contemplated in the site size standards set out in the tables above, as well as increase the amount of dedicated playfield acreage required for these programs. Therefore, the number of pre-school children generated by the construction and

occupancy of new residential units, can impact the amount of land necessary to meet overall accommodation needs.

## 6.2 Site Requirements

The site requirements arising from new residential development in each review area indicate the cumulative number of new pupil places required by Year 15 of the forecast period, and for which there is insufficient permanent pupil places to accommodate all projected students. Further, new sites may not be required where the Board intends to construct additions to existing facilities to meet all or a portion of the requirements of new development over the forecast period (although, in some cases the acquisition of adjacent property and demolition of existing buildings may be required). Even in a greenfield situation, school additions constructed to accommodate enrolment growth may require additional site development (e.g. grading, soil remediation, upgrading utility services, removal of portables, demolition of existing buildings, etc.).

Boards generally acquire sites a minimum of two years in advance of opening a new school facility, in order to ensure that there is sufficient time allowed for site servicing and preparation, facility design, contract tendering, building construction and the capital allocation process. The length of time required to approve development plans, acquire land for school sites, assess site preparation needs, and commence school construction can consume a decade or more, particularly where multi-use developments or redevelopment of lands are proposed. Aligning funding, acquisition and site development timing can be challenging in an urban development environment.

A February 15, 2019 appraisal report prepared by MW Cotman & Associates Real Estate Appraisers & Consultants established a land valuation of \$411,765 per acre. On January 28, 2021 the appraisers were asked to provide an opinion as to current value and an appropriate annual land escalation factor to be applied over the term of the proposed EDC by-law (consistent with EDC practice across the Province). An annual land escalation factor of 5% provided by the appraiser derives a cost of \$500,503 per acre if the Board acquires the land in 2023.

### Land in Excess

The school site designated for the CEPEO within the Woodhaven Phase 4 subdivision – Block 151 is 7.65 acres. Initially, the Board proposes to construct a 366 pupil-place elementary school, or 352 OTG with 1 special classroom, plus 5 child care classrooms. Section 2 (1) of O. Reg. 20/98 specifies the number of eligible acres of land based on the number of pupils to be accommodated. The legislative site size standards determine the Board would be entitled to fund only 4 acres of land. The proposed EDC rates are derived on the assumption that the Board will fund the entirety of the 7.65 acres on the basis that the actual enrolment may very well be higher than projected in the EDC Background study for the reasons set out in Chapter 5. In addition, the surrounding development and placement of the hydro corridor and park would make it difficult to sever the property to create additional buildable lots. If it is possible to reduce the size of the school site, the EDC legislation makes provision for the Board to sell any surplus lands, where possible, and use the proceeds stemming from the sale of the surplus lands to reimburse the EDC account. It is recommended that the Board hold a meeting with the developer prior to the end of the 1<sup>st</sup> year of by-law implementation and before the EDC rates increase to determine if there is any ability or rationale to reduce the site size.



Plan courtesy MW Cotman & Associates Real Estate Appraisers & Consultants

### 6.3 Site Preparation/Development Costs

Site preparation/development costs are “costs 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.”

Site preparation/development costs are funded through three different sources. First, there is an expectation that the owner of the designated school site will provide:

- site services to the edge of the property’s limit;
- rough grading and compaction; and
- a site cleared of debris;

in consideration of being paid “fair market value” for the land. Where un-serviced land is acquired by the board, the cost to “provide services to the land” is properly included in the education development charge. In the case of redevelopment school sites site preparation costs may include soils remediation, demolition of existing buildings on the site, servicing infrastructure that requires replacement due to age (e.g. water services, sewer services, gas and utilities, transformers, etc.), on-site storm water management, off-site sidewalk, crosswalk and traffic upgrades, road service remediation etc.

The third and final source of financing site preparation/ development costs is education development charges (i.e. for 'eligible' school boards). Through discussion with the development community, the boards and the Ministry, a list (although by no means an exhaustive list) of EDC "eligible" site preparation/ development costs in a greenfields situation has been determined.

#### 6.4 Eligible Site Preparation/Development Costs in a Greenfields Situation

EDC eligible site preparation/development costs in a greenfields development area include:

- an agent or commission fee paid to acquire a site or to assist in negotiations to acquire a site;
- costs to fulfill municipal requirements to properly maintain the school site prior to construction of the school facility;
- land appraisal reports and legal fees;
- transportation studies related to site accessibility;
- soils tests;
- environmental studies related to the condition of the school site;
- preliminary site plan/fit studies;
- stormwater management studies related to the site;
- archaeological studies precedent to site plan approval of the site;
- planning studies aimed at ensuring municipal approval of the site plan;
- expropriation costs;
- site option agreement costs;
- rough grading, removal of dirt and rubble, engineered fill;
- removal of buildings on the site;
- land transfer taxes.

Finally, as noted above, in situations where a Board is acquiring unserviced land for the purposes of siting a school facility, or the local municipality requires upgraded site services related to site access and student safety, eligible costs could additionally include:

- site servicing costs;
- temporary or permanent road access to the site;
- power, sanitary, storm and water services to the site;
- off-site services required by the municipality (e.g. sidewalks).

#### 6.5 Conclusions re Average Site Preparation Costs per Acre

An escalation factor of 2.5% per annum for site preparation/development costs has been applied, which is equivalent to the average annual Consumer Price Index over time. Site preparation/development costs are

escalated annually over the fifteen-year forecast period. As the CEPEO has never built a school facility in Kingston previously, there is no costing experience available for this area. Instead, the EDC Background Study uses several suburban CEPEO new school builds in Ottawa to determine average site preparation costs per acre of \$287,300, as shown below:

### CEPEO KINGSTON WEST

AVERAGE SITE PREPARATION COSTS PER ACRE (Based on City of Ottawa Site Development Cost Experience for Elementary Schools)

Current Review Area Reference	EDC Eligible Site Name	Address	Year Site Acquired	Site Size in acres	Net Site Preparation Costs to Date	Net Site Preparation Costs Per Acre	Net Site Preparation Costs per Acre 2021\$	Total Site Preparation Costs per Acre 2021\$
1.	FPE01/FPS01	ÉÉP Maurice-Lapointe (Kanata South) (JK-12)	2011	15.96	\$ 3,487,690	\$ 218,527	\$ 299,069	\$ 4,773,445
2.	FPE02	ÉÉP Michel-Dupuis (Riverside Sud) (JK-6)	2012	6.07	\$ 1,182,934	\$ 194,882	\$ 256,451	\$ 1,556,660
<b>OTTAWA TOTALS</b>					\$ 4,670,624	\$ 212,012	\$ 277,760	\$ 287,327

Value to be Included in 2021 EDC Submission	\$ 287,300
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## CHAPTER 7 - EDUCATION DEVELOPMENT CHARGE CALCULATION

The basis for the calculation of education development charges for the Conseil des écoles publiques de l'Est de l'Ontario is documented in the Board's Education Development Charges Submission to the Ministry of Education and found in Appendix A.

### 7.1 Growth Forecast Assumptions

The net education land costs and EDC calculations for the Board were based on the following forecast of net new dwelling units for the mid-2021 to mid-2035 period, as detailed in Chapter 4 of this report:

#### RESIDENTIAL:

Net New Units	12,977
Average units per annum	865

### 7.2 EDC Pupil Yields

The Board's education development charge calculations were based on assumptions respecting the number of pupils generated, per dwelling unit type (with separate pupil yields applied to each type), by municipality or 'region' where appropriate, and by panel (elementary versus secondary) from new development, as set out in the Review Area Form Fs in Appendix A and described in detail in Chapter 5 of this report.

Table 7-1 sets out the EDC pupil yields utilized to determine the number of pupils generated from new development and the yields attributable to the CEPEO based on a spatial matching of CEPEO student data and Municipal Property Assessment Corporation (MPAC) housing data.

Table 7-1

CEPEO EDC 2021 Weighted Blended Pupil Yields

Elementary Review Area	SINGLE and SEMI-DETACHED	MEDIUM DENSITY	APARTMENTS (includes purpose-built seniors housing and student housing)	TOTAL UNITS
FPE01 United Counties Leeds & Grenville incl. Westport, Gananoque, Rideau Lakes (except South Elmsley), Leeds and the Thousand Islands	0.0210	0.0132	0.0019	0.0133
FPE02 South Frontenac Twsp, Frontenac Islands & City of Kingston	0.0403	0.0152	0.0008	0.0144
FPE03 County of Lennox & Addington south of Highway 7	0.0193	0.0072	0.0000	0.0138
TOTAL	0.0305	0.0115	0.0008	0.0142

Table 7-2

## CEPEO EDC 2021 Weighted Blended Pupil Yields

Secondary Review Area	SINGLE and SEMI-DETACHED	MEDIUM DENSITY	APARTMENTS (includes purpose-built seniors housing and student housing)	TOTAL UNITS
FPS01 United Counties Leeds & Grenville incl. Westport, Gananoque, Rideau Lakes (except South Elmsley), Leeds and the Thousand Islands	0.0039	0.0000	0.0000	0.0022
FPS02 South Frontenac Twsp, Frontenac Islands & City of Kingston	0.0062	0.0038	0.0004	0.0025
FPS03 County of Lennox & Addington south of Highway 7	0.0034	0.0000	0.0000	0.0021
<b>TOTAL</b>	0.0049	0.0019	0.0003	0.0024

### 7.3 Determination of Net Growth-Related Pupil Place Requirement

The determination of the number of growth-related pupil places eligible for EDC funding involves three key steps. The analysis required to complete each of these steps was undertaken for each of the growth forecast review areas, discussed in Chapter 3. Generally, the steps required to determine the number of net growth-related pupil places by review area, are as follows:

1. Populate each Review Area with each of the schools having attendance boundaries within the individual Review Area. The CEPEO owns 1 elementary and leases 1 secondary school within the City of Kingston.
2. Determine the Requirements of New Development, which is the number of pupils generated from the dwelling units forecasted to be constructed over the forecast period.
3. Determine the Requirements of the Existing Community (although this is not a legislative requirement) which is the projected enrolment (i.e. headcount enrolment for the elementary panel and ADE enrolment for the secondary panel) over the 15-year forecast period.
4. Determine, given new residential development within the school's attendance boundary, what additional student accommodation will be required.
5. Finally, subtract any available pupil places that, in the opinion of the board, are not available to accommodate pupils generated by new housing development.
6. In determining the NGRPP entitlement going forward account for all additional school capacity previously funded from capital allocations, including projects that will be constructed and operational in the year following by-law adoption (in the case of new Mille-Îles school the two years following by-law adoption) and for which the Board is in the process of acquiring land necessary, or has recently acquired land necessary to create a new school site or school site expansion.

7. The net growth-related pupil place entitlement is subsequently incorporated into the Form G to determine the appropriate net education land costs based on aligning the EDC identified needs with the CEPEO’s long-term student accommodation strategies and capital priority requests.

## DETERMINING NET GROWTH-RELATED PUPIL PLACE REQUIREMENTS

### 7.4 Approved Capital Cost Per Pupil

Paragraphs 4-10 of Section 7 of O. Reg. 20/98 set out the steps involved in moving from growth-related new school pupils to obtain “the growth-related net education land costs.” Generally, these steps are as follows when adopting the first EDC by-law in a ‘region’:

1. Estimate the net education land cost for the elementary and secondary school sites required to provide new pupil places.
2. Determine the portion of the charges related to residential development and to non-residential development if the Board intends to impose a non-residential charge.
3. Differentiate the residential development charge by unit type if the Board intends to impose a variable residential rate. Instructions setting out the methodological approach to differentiate the residential charge can be found in the Education Development Charge Guidelines (Spring 2002) prepared by the Ministry of Education.

### 7.5 Net Education Land Costs and Forms E, F and G

The total net education land costs for the Conseil des écoles publiques de l’Est de l’Ontario including escalation of land over the term of the by-law (five years), site acquisition costs, site development costs, associated financing costs and study costs, are \$4,632,789 to be recovered from 12,997 “net” new units, or an average EDC rate of \$357 per dwelling unit. However, the number of pupils generated by new housing development varies within each ‘region’ and for this reason it is more equitable to determine applicable EDC rates in each separate ‘region’ based on the proportionate share of the number of pupils generated by new housing development. As such, the proposed EDC rates for each ‘region’ would be as follows:

**Table 7-3  
Proposed Residential EDC By-law Rates**

EDC By-law Charging Area	EDC Calculated Rate (per Dwelling Unit)	Year 1	Year 2	Year 3	Year 4	Year 5
		In-force Date: May 31, 2021 to May 30, 2022	In-force Date: May 31, 2022 to May 30, 2023	In-force Date: May 31, 2023 to May 30, 2024	In-force Date: May 31, 2024 to May 30, 2025	In-force Date: May 31, 2025 to May 30, 2026
By-law #1 (FPE01) United Counties of Leeds & Grenville incl. Westport, Gananoque, Rideau Lakes (except South Elmsley), Leeds and the Thousand Islands	\$333	\$300	\$333	\$333	\$333	\$333
By-law #2 (FPE02) South Frontenac Twsp, Frontenac Islands & City of Kingston	\$365	\$300	\$365	\$365	\$365	\$365
By-law #3 (FPE03) County of Lennox & Addington south of Highway 7	\$344	\$300	\$344	\$344	\$344	\$344

**EDC Submission (Form E, F and G):**

The Review Area sheets set out in Appendix A detail the following information for each elementary and secondary Review Area:

- the cumulative number of forecasted new dwelling units by type;
- the weighted/blended pupil yield by unit type and the number of growth-related pupil places generated by the 15-year housing forecast (Forms E and F);
- the existing schools within each review area, the SFIS # and the OTG capacity for EDC purposes, as well as the number of portables and the acreage for each school site;
- the projected existing community enrolment;
- the cumulative requirements of new development and the determination of the number of available and surplus pupil places;
- the number of net growth-related pupil places (i.e. the number of eligible pupil places);
- comments detailing each Board's capital priorities, and the determination of the number of NGRPP;
- a description of the growth-related site acquisition needs, the number of eligible acres, the anticipated cost per acre, the site preparation costs, financing costs and total education land costs (Form G).

**7.6 EDC Accounts**

Section 7(5) of O. Reg. 20/98 (as amended by 473/98 and O. Reg. 193/10) states that:

“The Board shall estimate the balance of the education development charge reserve fund, if any, relating to the area in which the charges are to be imposed. The estimate shall be an estimate of the balance immediately before the day the board intends to have the by-law come into force.”

“The Board shall adjust the net education land cost with respect to any balance estimated. If the balance is positive, the balance shall be subtracted from the cost. If the balance is negative, the balance shall be converted to a positive number and added to the cost.”

As this is the first EDC by-law for the CEPEO Kingston catchment area, there is no EDC account balance to take into account in determining the growth-related net education land costs.

**7.7 Cash Flow Analysis and Forms H1 and H2**

Table 7-4 set outs a fifteen-year cashflow analysis of the proposed capital expenditure program for school sites.

The quantum of the charge is determined on the basis of an 100%/0% residential/non-residential share, for the Board.

The cash flow methodology is consistent with that undertaken by municipalities for DC studies and is described as follows:

### **Cash Flow Assumptions:**

- site acquisition costs are assumed to escalate by 5.0% and site development costs are assumed to escalate at 2.5% per annum consistent with the background information provided in Chapter 6.
- site acquisition costs are inflated only over the term of the by-law period (five years); site development costs are escalated over the full fifteen-year forecast period;
- the Education Development Charge account accrues 0.25% during the first term of the EDC by-law and 1.75% interest earnings per annum, thereafter.

Scenario Comments:
Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area
BOTH PANELS

TABLE 7-4

Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area

Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area Proposed EDC Rates 2021		
Non-Residential Share	Residential Rate	Non-Residential Rate
0%	\$357	0

Cashflow Assumptions			FORM H2 - Using Municipal DC New Occupied Dwellings PPU's					
	Yrs 1-5	Yrs 6-15	Type of Development (Form B/C)	Net New Units	Total Requirements of New Development	Distribution Factor	Net Education Land Cost by Development Type	Differentiated Residential EDC Per Unit
A. EDC Account interest earnings (per annum)	0.25%	1.75%	Low Density	5,277	187	87%	\$4,029,449	\$ 764
B. Credit Line Borrowing Rate	1.50%	3.00%	Medium Density	1,560	21	10%	\$452,505	\$ 290
			High Density	6,140	7	3%	\$150,835	\$ 25
			<b>TOTALS</b>	<b>12,977</b>	<b>215</b>	<b>100%</b>	<b>\$ 4,632,789</b>	<b>\$ 357</b>

	Year 1 2021/ 2022	Year 2 2022/ 2023	Year 3 2023/ 2024	Year 4 2024/ 2025	Year 5 2025/ 2026	Year 6 2026/ 2027	Year 7 2027/ 2028	Year 8 2028/ 2029	Year 9 2029/ 2030	Year 10 2030/ 2031	Year 11 2031/ 2032	Year 12 2032/ 2033	Year 13 2033/ 2034	Year 14 2034/ 2035	Year 15 2035/ 2036
<b>Revenues</b>															
1 Credit Line Borrowing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2 Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3 Estimated EDC Revenue (Residential) Per Unit \$ 357	\$ 318,087	\$ 308,805	\$ 307,734	\$ 323,085	\$ 386,988	\$ 363,069	\$ 280,602	\$ 327,726	\$ 285,243	\$ 267,393	\$ 257,754	\$ 254,898	\$ 298,809	\$ 326,655	\$ 325,941
4 Estimated EDC Revenue (Non-Residential) Per Sq.Ft \$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5 Subtotal EDC Revenue	\$ 318,087	\$ 308,805	\$ 307,734	\$ 323,085	\$ 386,988	\$ 363,069	\$ 280,602	\$ 327,726	\$ 285,243	\$ 267,393	\$ 257,754	\$ 254,898	\$ 298,809	\$ 326,655	\$ 325,941
6 Total Revenue	\$ 318,087	\$ 308,805	\$ 307,734	\$ 323,085	\$ 386,988	\$ 363,069	\$ 280,602	\$ 327,726	\$ 285,243	\$ 267,393	\$ 257,754	\$ 254,898	\$ 298,809	\$ 326,655	\$ 325,941
<b>Expenditures</b>															
7 Site acquisition costs	\$ -	\$ -	\$ 2,676,466	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
8 Site preparation costs <sup>1</sup>	\$ -	\$ -	\$ -	\$ -	\$ 1,695,457	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
9 Study Costs	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ -	\$ -	\$ -	\$ 65,000
10 Subtotal Projected Expenditures	\$ 65,000	\$ -	\$ 2,676,466	\$ -	\$ 1,695,457	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ -	\$ -	\$ -	\$ 65,000
11 Credit Line Borrowing Costs - Principal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
12 Credit Line Borrowing Costs - Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
13 Subtotal Borrowing Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
14 Total Expenditures	\$ 65,000	\$ -	\$ 2,676,466	\$ -	\$ 1,695,457	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ -	\$ -	\$ -	\$ 65,000
15 Net Revenues/(Expenditures)	\$ 253,087	\$ 308,805	\$ (2,368,732)	\$ 323,085	\$ (1,308,469)	\$ 298,069	\$ 280,602	\$ 327,726	\$ 285,243	\$ 267,393	\$ 192,754	\$ 254,898	\$ 298,809	\$ 326,655	\$ 260,941
<b>EDC Eligibility Analysis</b>															
16 EDC Account, Opening Balance	\$ -	\$ 253,087	\$ 562,525	\$ (1,804,801)	\$ (1,481,716)	\$ (2,790,185)	\$ (2,492,116)	\$ (2,211,514)	\$ (1,883,788)	\$ (1,598,545)	\$ (1,331,152)	\$ (1,138,398)	\$ (883,500)	\$ (584,691)	\$ (258,036)
17 Revenue Minus Expenditures	\$ 253,087	\$ 308,805	\$ (2,368,732)	\$ 323,085	\$ (1,308,469)	\$ 298,069	\$ 280,602	\$ 327,726	\$ 285,243	\$ 267,393	\$ 192,754	\$ 254,898	\$ 298,809	\$ 326,655	\$ 260,941
18 Sub total	\$ 253,087	\$ 561,892	\$ (1,806,207)	\$ (1,481,716)	\$ (2,790,185)	\$ (2,492,116)	\$ (2,211,514)	\$ (1,883,788)	\$ (1,598,545)	\$ (1,331,152)	\$ (1,138,398)	\$ (883,500)	\$ (584,691)	\$ (258,036)	\$ 2,905
19 Credit Line - Principal Due at year end	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
20 Sub total	\$ 253,087	\$ 561,892	\$ (1,806,207)	\$ (1,481,716)	\$ (2,790,185)	\$ (2,492,116)	\$ (2,211,514)	\$ (1,883,788)	\$ (1,598,545)	\$ (1,331,152)	\$ (1,138,398)	\$ (883,500)	\$ (584,691)	\$ (258,036)	\$ 2,905
21 Interest Earnings (12 months on Sub-total)	\$ -	\$ 633	\$ 1,406	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
22 EDC 15-Year Forecast Account Closing Balance (includes O/S Principal owed)	\$ 253,087	\$ 562,525	\$ (1,804,801)	\$ (1,481,716)	\$ (2,790,185)	\$ (2,492,116)	\$ (2,211,514)	\$ (1,883,788)	\$ (1,598,545)	\$ (1,331,152)	\$ (1,138,398)	\$ (883,500)	\$ (584,691)	\$ (258,036)	\$ 2,905
23 EDC 15-Year Forecast Cash Closing Balance (excludes O/S Principal owed)	\$ 253,087	\$ 562,525	\$ (1,804,801)	\$ (1,481,716)	\$ (2,790,185)	\$ (2,492,116)	\$ (2,211,514)	\$ (1,883,788)	\$ (1,598,545)	\$ (1,331,152)	\$ (1,138,398)	\$ (883,500)	\$ (584,691)	\$ (258,036)	\$ 2,905

<sup>1</sup> No escalation applied beyond the 15-year timeframe.

Total debt (principal only):	-
Total debt payments (principal and interest):	-
Debt at end of forecast period (principal only):	-
Year in which outstanding debt is fully funded:	2035/36

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*Explanation of the Cash Flow Analysis:*A. Revenues

- Line 1 incorporates proposed borrowing against a Line of Credit with a prime bank. Line 1 involves an iterative process wherein interim (Line of Credit) financing is incorporated in order to ensure that the “closing balance” on Line 23 does not exceed a negative balance of \$3.0 million (i.e. the cash flow analysis contemplates that the Board will utilize up to \$3.0 million of the Board’s internal working capital in any given year as short-term cash flow financing) and that the Line of Credit is fully paid by the end of the 15-year forecast period.
- Line 2 subtotals line 1
- Line 3 determines the EDC revenue to be generated by residential building permits to be issued over the forecast period.
- Line 4 determines the EDC revenue to be generated by non-residential building permits to be issued over the forecast period (the CEPEO is proposing a residential rate only).
- Line 5 subtotals the residential EDC revenue (Line 3) and the non-residential EDC revenue if any (Line 4).
- Line 6 totals all anticipated revenue sources including funds borrowed against the Line of Credit (Lines 1 through 5).

B. Expenditures

- Line 7 brings forward into the calculation the annual site acquisition costs. The timing of the capital expenditures determines the point at which the escalation factor of 5.0% per annum is applied to the first 5 years of the forecast period.
- Line 8 incorporates the site preparation/development costs, and escalates these costs at 2.5% per annum over the entire 15-year forecast period.
- Line 9 incorporates the study costs specified under section 257.53(2) at the beginning of each new by-law period, and over the 15-year forecast period.
- Line 10 totals all projected expenditures.
- Line 11 sets out the annual principal payments against the Line of Credit borrowing. A 1.5% interest rate is to accrue beginning in the 6-month period following the L/C borrowing up to Year 5 and 3.0% in each year thereafter.
- Line 12 calculates the annual cost of borrowing against the Line of Credit and indicates when the borrowing tranche is fully paid.
- Line 13 totals the annual principal and interest payments required.
- Line 14 calculates total expenditures, including borrowing requirements by totaling Lines 7 through 9, plus lines 11 and 12.

C. Cash Flow Analysis

- Line 15 calculates total revenues minus total expenditures (Line 6 minus Line 14).
- Line 16 extracts the “closing balance” from the previous year and describes it as the “opening balance” in the following year. This line would include the previous EDC account balance if the Board had had an EDC by-law in place previously.
- Line 17 pulls forward the revenues less expenditures balance from Line 15.

- Line 18 calculates a sub-total of Lines 16 and 17.
- Line 19 indicates the level of principal payments outstanding at the end of any given year as part of calculating the total financial obligations of the Board
- Line 20 indicates the total financial obligations including any principal payments outstanding
- Line 21 accrues EDC account interest earnings at 0.75% up to Year 6 and 1.75% thereafter on the sub-total (Line 18).
- Line 22 is the total financial obligations outstanding including any principal payments less any interest earned to date.
- Line 23 indicates the total financial obligations including any principal payments outstanding.

## 7.8 Education Development Charges

Finally, Table 7-5 summarizes the calculation of the jurisdiction-wide residential and non-residential education development charges for the Board.

This information is consistent with the EDC submission, approval of which is required to be given by the Ministry of Education prior to consideration of by-law adoption.

<b>TABLE 7-5</b>	
<b>Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area</b>	
<b>CALCULATION OF EDUCATION DEVELOPMENT CHARGES</b>	
Total Growth-Related Net Education Land Costs (over 15-year forecast period including associated financing and study costs)	\$ 4,632,789
Costs Financed in the Previous By-law	N/A
Site Acquisition Costs	\$ 2,427,634
Land Escalation Costs	\$ 248,832
Site Preparation Costs	\$ 1,536,000
Site Preparation Escalation Costs	\$ 159,457
Credit Line Interest Payments	\$ -
Study Costs	\$ 260,000
Financial Obligations/Surplus (projected EDC Account Balance as of May 31, 2021)	N/A
Interest Earnings	\$ (2,039)
Closing Account Balance	\$ 2,905
Total Net New Units	12,977
Total Non-Residential, Non-Exempt Board-Determined GFA	-
Residential Education Development Charge Per Unit based on 100% of Total Growth-Related Net Education Land Costs (average cost of three 'regions')	\$ 357
Non-Residential Education Development Charge Per Sq. Ft. of GFA based on 0% of Total Growth-Related Net Education Land Costs	0

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## APPENDIX A - EDC SUBMISSION 2021

The following outlines the EDC Submission forwarded to the Minister of Education for review and approval.

**Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area  
Education Development Charges Submission 2021  
Form A - Eligibility to Impose an EDC**

**A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL**

Elementary Panel Board-Wide Capacity	Projected Elementary Panel Average Daily Enrolment Headcount						Elementary Average Projected Enrolment less Capacity
	Year 1 2021/ 2022	Year 2 2022/ 2023	Year 3 2023/ 2024	Year 4 2024/ 2025	Year 5 2025/ 2026	Average Projected Enrolment Over Five Years	
13,676	13,859	14,313	14,827	15,174	15,611	14,757	1,081

**A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL**

Secondary Panel Board-Wide Capacity	Projected Secondary Panel Average Daily Enrolment (ADE)						Secondary Average Projected Enrolment less Capacity
	Year 1 2021/ 2022	Year 2 2022/ 2023	Year 3 2023/ 2024	Year 4 2024/ 2025	Year 5 2025/ 2026	Average Projected Enrolment Over Five Years	
6,093	4,230	4,752	5,133	5,617	5,970	5,140	-953

**A.2: EDC FINANCIAL OBLIGATIONS (Estimated to May 31 2021)**

Adjusted Outstanding Principal:	\$0
Less Adjusted EDC Account Balance:	\$0
<b>Total EDC Financial Obligations/Surplus:</b>	<b>\$0</b>

**FORM B & C**

**Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area  
Education Development Charges Submission 2021  
Forms B/C - Dwelling Unit Summary**

**PROJECTION OF NET NEW DWELLING UNITS <sup>1</sup>**

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Total All Units
	2021/ 2022	2022/ 2023	2023/ 2024	2024/ 2025	2025/ 2026	2026/ 2027	2027/ 2028	2028/ 2029	2029/ 2030	2030/ 2031	2031/ 2032	2032/ 2033	2033/ 2034	2034/ 2035	2035/ 2036	
<b>Total Kingston West Catchment Area</b>																
Singles and Semi-Detached	374	377	369	384	381	388	392	392	351	355	321	327	324	272	270	5,277
Townhouses, Row Housing, etc.	103	109	111	113	110	120	113	111	109	99	98	102	104	79	79	1,560
Apartments	414	379	382	408	593	509	281	415	339	295	303	285	409	564	564	6,140
<b>Total</b>	<b>891</b>	<b>865</b>	<b>862</b>	<b>905</b>	<b>1,084</b>	<b>1,017</b>	<b>786</b>	<b>918</b>	<b>799</b>	<b>749</b>	<b>722</b>	<b>714</b>	<b>837</b>	<b>915</b>	<b>913</b>	<b>12,977</b>
<b>FPED1 United Counties Leeds &amp; Grenville incl. Westport, Gananoque, Rideau Lakes (except South Elmsley), Leeds and the Thousand Islands</b>																
Singles and Semi-Detached	55	56	49	56	56	46	50	57	51	56	41	45	42	51	51	762
Townhouses, Row Housing, etc.	2	10	6	2	1	15	5	4	7	1	2	8	7	3	3	76
Apartments	58	40	10	37	35	35	5	32	32	40	50	32	30	42	42	520
<b>Total</b>	<b>115</b>	<b>106</b>	<b>65</b>	<b>95</b>	<b>92</b>	<b>96</b>	<b>60</b>	<b>93</b>	<b>90</b>	<b>97</b>	<b>93</b>	<b>85</b>	<b>79</b>	<b>96</b>	<b>96</b>	<b>1,358</b>
<b>FPED2 South Frontenac Twp, Frontenac Islands &amp; City of Kingston</b>																
Singles and Semi-Detached	199	201	201	208	206	218	218	212	176	175	171	172	172	112	110	2,751
Townhouses, Row Housing, etc.	54	54	56	62	62	60	61	60	53	51	53	52	53	29	29	789
Apartments	331	314	347	346	533	450	252	359	283	231	231	231	356	499	499	5,262
<b>Total</b>	<b>584</b>	<b>569</b>	<b>604</b>	<b>616</b>	<b>801</b>	<b>728</b>	<b>531</b>	<b>631</b>	<b>512</b>	<b>457</b>	<b>455</b>	<b>455</b>	<b>581</b>	<b>640</b>	<b>638</b>	<b>8,802</b>
<b>FPED3 County of Lennox &amp; Addington south of Highway 7</b>																
Singles and Semi-Detached	120	120	119	120	119	124	124	123	124	124	109	110	110	109	109	1,764
Townhouses, Row Housing, etc.	47	45	49	49	47	45	47	47	49	47	43	42	44	47	47	695
Apartments	25	25	25	25	25	24	24	24	24	24	22	22	23	23	23	356
<b>Total</b>	<b>192</b>	<b>190</b>	<b>193</b>	<b>194</b>	<b>191</b>	<b>193</b>	<b>195</b>	<b>194</b>	<b>197</b>	<b>195</b>	<b>174</b>	<b>174</b>	<b>177</b>	<b>179</b>	<b>179</b>	<b>2,817</b>

Notes: 1. Assumed to be net of demolitions and conversions. Statutory exemptions include secondary dwellings that are ancillary to, or as part of an existing dwelling unit.

<b>Grand Total Gross New Units in By-Law Area</b>	<b>13,498</b>
<b>Less: Statutorily Exempt Units in By-Law Area</b>	<b>521</b>
<b>Total Net New Units in By-Law Area</b>	<b>12,977</b>

Form D is included below, but is not filled in, in that there is no intention by the CEPEO to impose education development charges against non-residential development, which would add to the administrative burden of the local municipalities.

**Form D - Non-Residential Development**

**Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area**

**Education Development Charges Submission 2021**

**Form D - Non-Residential Development**

**D1 - Non-Residential Charge Based On Gross Floor Area (sq. ft.)**

<b>Total Estimated Non-Residential Board-Determined Gross Floor Area to be Constructed Over 15 Years From Date of By-Law Passage</b>	0
<b>Less: Board-Determined Gross Floor Area From Exempt Development</b>	0
<b>Net Estimated Board-Determined Gross Floor Area</b>	-

**FORME****Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area****Education Development Charges Submission 2021****Net Growth-related Pupil Places****Elementary Panel**

Review Area	Total Cumulative 15 Year New Net Unit Projections (1)	% Total Forecast Municipal Residential Growth (2)	Weighted Blended EDC Pupil Yield (3)	2019/20-2033/34 Pupil Requirements of New Development (4)=(3) x (1)	2018/19 OTG Capacity (5)	2033/34 ADE Existing Community Projections (6)	Net Growth Related Pupil Place Requirements (7)	SINGLE and SEMI- DETACHED	MEDIUM DENSITY	APARTMENTS (includes purpose- built seniors housing and student housing)	TOTAL UNITS
FPE01 United Counties Leeds & Grenville incl. Westport, Gananoque, Rideau Lakes (except South Elmsley), Leeds and the Thousand Islands	1,358	10%	0.013	18	-	-	-	762	76	520	1,358
FPE02 South Frontenac Twsp, Frontenac Islands & City of Kingston	8,802	68%	0.014	127	366	953	256	2,751	789	5,262	8,802
FPE03 County of Lennox & Addington south of Highway 7	2,817	22%	0.014	39	-	-	-	1,764	695	358	2,817
<b>TOTAL</b>	<b>12,977</b>	<b>100%</b>	<b>0.0142</b>	<b>184</b>	<b>366</b>	<b>953</b>	<b>256</b>	<b>5,277</b>	<b>1,560</b>	<b>6,140</b>	<b>12,977</b>

**Secondary Panel**

Review Area	Total Cumulative 15 Year New Net Unit Projections (1)	% Total Forecast Municipal Residential Growth (2)	Weighted Blended EDC Pupil Yield (3)	2019/20-2033/34 Pupil Requirements of New Development (4)=(3) x (1)	2018/19 OTG Capacity (5)	2033/34 ADE Existing Community Projections (6)	Net Growth Related Pupil Place Requirements (7)	SINGLE and SEMI- DETACHED	MEDIUM DENSITY	APARTMENTS (includes purpose- built seniors housing and student housing)	TOTAL UNITS
FPS01 United Counties Leeds & Grenville incl. Westport, Gananoque, Rideau Lakes (except South Elmsley), Leeds and the Thousand Islands	1,358	10%	0.0022	3	-	-	-	762	76	520	1,358
FPS02 South Frontenac Twsp, Frontenac Islands & City of Kingston	8,802	68%	0.0025	22	320	249	-	2,751	789	5,262	8,802
FPS03 County of Lennox & Addington south of Highway 7	2,817	22%	0.0021	6	-	-	-	1,764	695	358	2,817
<b>TOTAL</b>	<b>12,977</b>	<b>100%</b>	<b>0.0024</b>	<b>31</b>	<b>320</b>	<b>249</b>	<b>-</b>	<b>5,277</b>	<b>1,560</b>	<b>6,140</b>	<b>12,977</b>

**TOTAL BOTH PANELS**

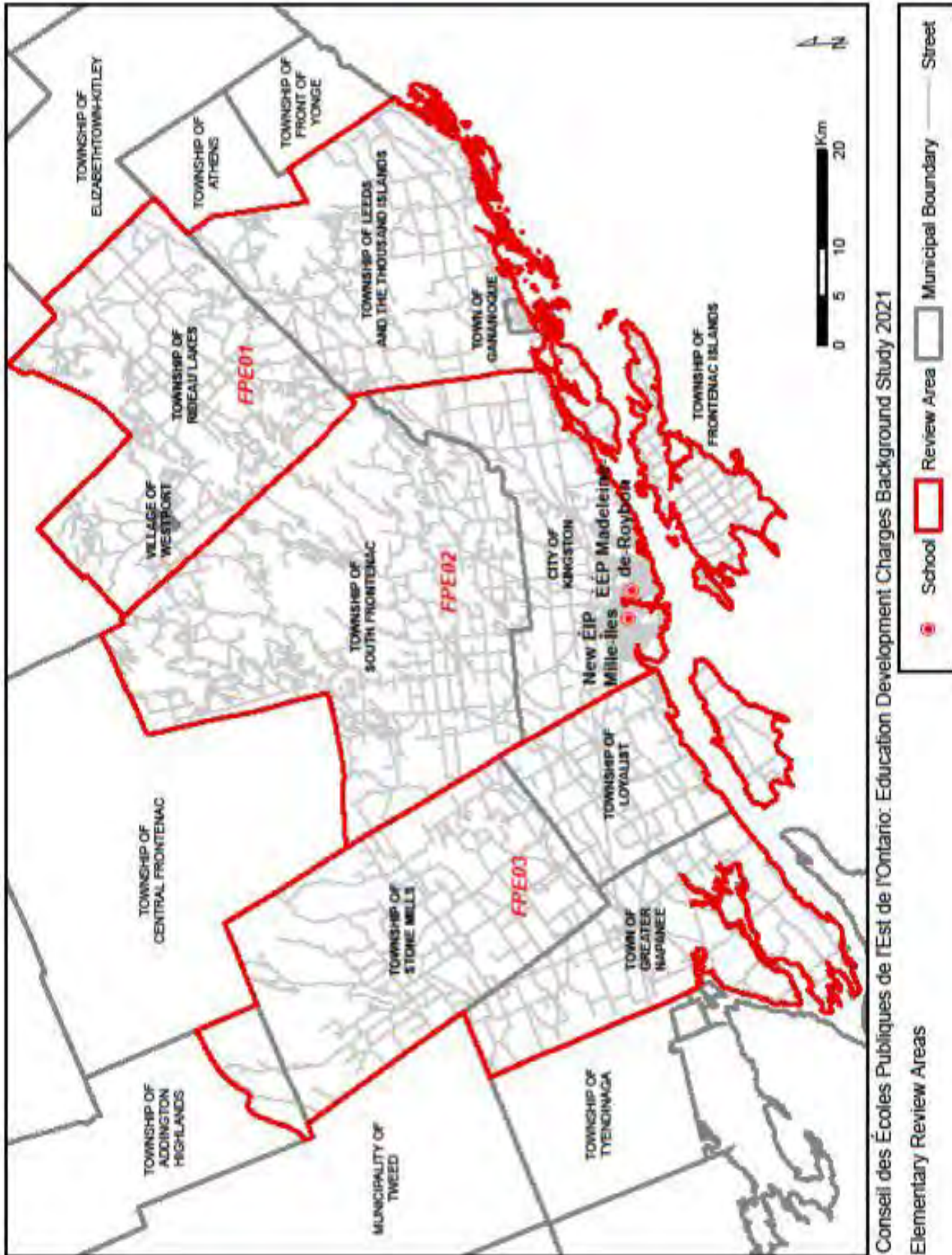
215

686

1,201

256

# ELEMENTARY REVIEW AREAS MAP



Conseil des Écoles Publiques de l'Est de l'Ontario: Education Development Charges Background Study 2021

Elementary Review Areas





Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area - FORMS E AND F  
EDUCATION DEVELOPMENT CHARGES SUBMISSION 2021

1.	Growth-related portion of New Kingston West elementary school												Projected Housing Growth					Weighted/ Blended Elementary Yield	Total Net New Units 2015/36	Total Yr. 15 Growth- related Pupils
2.	Total NGRPP												Low Density					0.0403	2,751	111
4.	256												Medium Density					0.0152	789	12
													High Density - Apartments					0.0008	5,262	4
													Total Net Dwelling Units					0.0144	8,802	127
<b>Review Area: FP02 South Frontenac Twp, Frontenac Islands &amp; City of Kingston</b>																				
<b>Projected Housing Growth</b>																				
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15					
Low Density	199	201	201	208	206	218	218	212	176	175	171	172	172	112	110					
Medium Density	54	54	56	62	62	60	61	61	53	51	53	53	53	29	29					
High Density - Apartments	331	314	347	346	333	450	252	339	283	231	231	231	356	499	499					
A Total Net Dwelling Units	584	569	604	616	601	728	531	631	512	457	455	455	581	640	638					
<b>Review Area Schools not Impacted by New Housing Development, or for which no Growth-related Accommodation Solutions are Required</b>																				
<b>Review Area Schools</b>																				
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15					
OTG Capacity	366	366	366	366	366	366	366	366	366	366	366	366	366	366	366					
Current	235	259	266	274	276	281	292	301	308	316	318	320	323	325	325					
Grade 7/8 pupils residing east of Sydenham Rd.	0	36	38	45	66	61	59	58	62	63	68	73	73	73	74					
Pre-school population residing east of Sydenham Rd. 1	35	35	81	81	81	81	81	81	81	81	81	81	81	81	81					
B4																				
B5																				
B6																				
B7																				
B8																				
B9																				
B10																				
Totals	297	329	385	400	423	423	432	440	451	460	467	474	477	479	481					
Total ROND																				
Total Surplus Pupil Spaces	69	37																		
<b>Review Area Schools Impacted by Housing Growth and for which additional Growth-related Accommodation Solutions are Required</b>																				
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15					
OTG Capacity	234	226	221	224	229	225	237	245	253	259	263	265	266	266	266					
Current	234	226	221	224	229	225	237	245	253	259	263	265	266	266	266					
Grade 7/8 pupils residing west of Sydenham Rd.	9	17	25	33	41	49	56	64	71	79	86	94	101	106	112					
Grade 7/8 pupils residing east of Sydenham Rd.	37	39	41	48	49	60	54	45	49	50	54	58	60	62	63					
Pre-school population residing west of Sydenham Rd.	2	4	6	8	10	12	14	16	18	20	22	23	25	27	28					
Pre-school population residing east of Sydenham Rd.					69	69	69	69	69	69	69	69	69	69	69					
C4																				
C5																				
C6																				
C7																				
C8																				
Totals	298	314	325	353	387	480	513	524	552	573	597	619	634	645	694					
Total Pupil Spaces Available to Accommodate Growth	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-					
D Requirements of New Development for Growth Areas (Cumulative)	27	40	53	67	80	94	107	120	132	143	155	166	175	175	222					

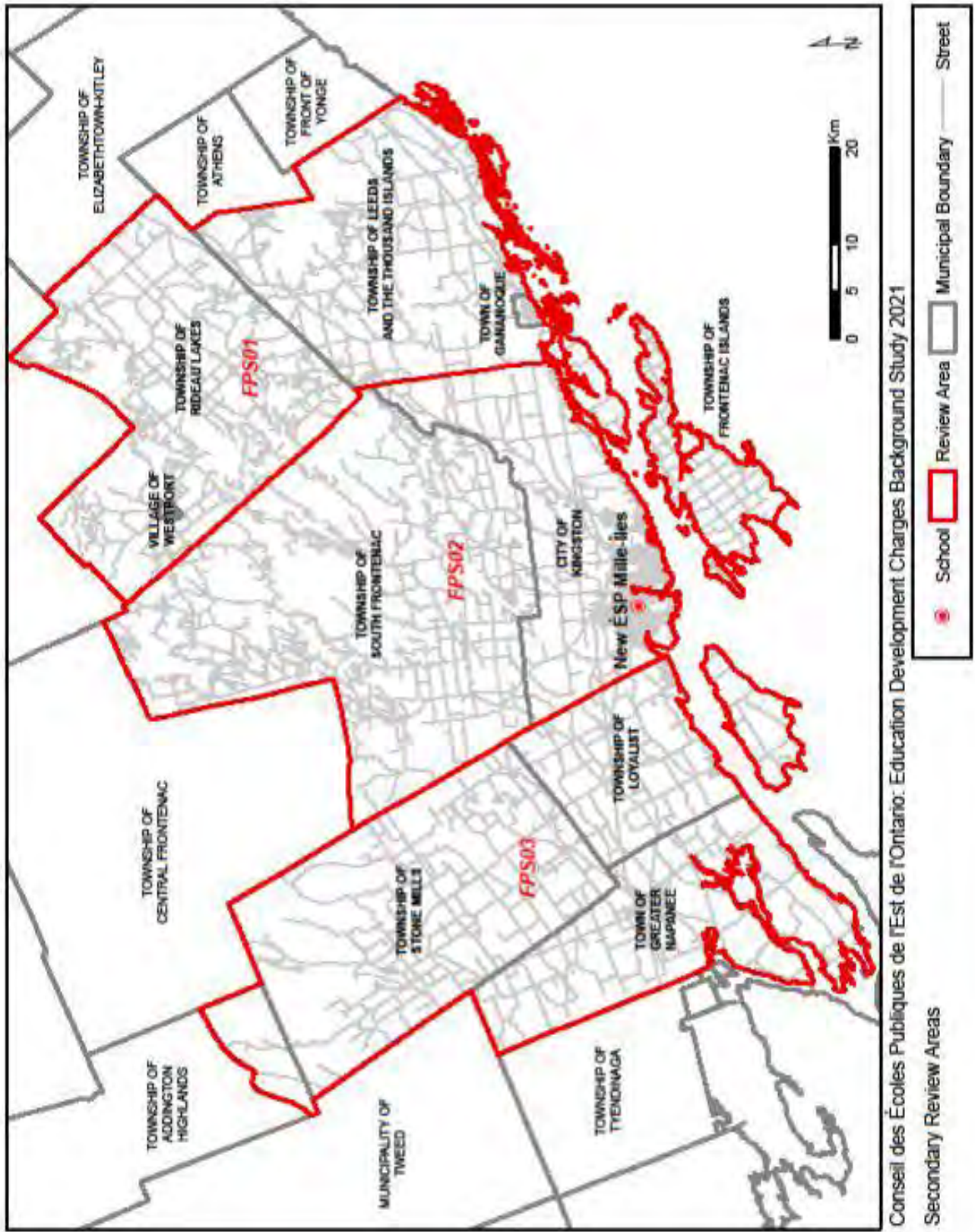
Notes: Pre-school existing community residing east of Sydenham Rd. is already accounted for in adjustment from 327 OTG to 346 OTG at ÉP Madeleine-de-Roybon to account for 5 additional Child Care spaces although the square footage is not equivalent (reuse 5 existing classrooms converted @ 23 (-115) plus 2 loaded classrooms converted to a relocated library (-46)).



**Form G - Growth-related Elementary Net Education Lands Costs**

Review Area	Description of Growth-related Site Acquisition Needs	Proposed Year of Acquisition	NGRPP Requirements	Proposed School Capacity	% of Capacity Attributable to NGRPP Requirements	Total # of Acres Required	EDC Eligible Acres	Cost per Acre	Education Land Costs	Less Previously Funded Education Land Costs	Eligible Site Preparation Costs	Less Previously Funded Site Preparation Costs	Land Escalation Costs	Site Preparation Escalation Costs	Financing Costs	Total Education Land Costs Underlying Proposed EDC Rates
FPE02	Kingston West/Woodhewen Phase 4 - Block 151	2023	256	366	70%	7.65	5.35	\$ 453,971	\$ 2,427,634	\$ -	\$ 1,536,000	\$ -	\$ 248,832	\$ 159,467	\$ -	\$ 4,371,923
<b>Total Elementary Education Land Costs</b>																
			256	366		7.7	5.3		\$ 2,427,634	\$ -	\$ 1,536,000	\$ -	\$ 248,832	\$ 159,467	\$ -	\$ 4,371,923

## SECONDARY REVIEW AREAS MAP



Conseil des Écoles Publiques de l'Est de l'Ontario: Education Development Charges Background Study 2021

Secondary Review Areas

**Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area - FORMS E AND F**  
**EDUCATION DEVELOPMENT CHARGES SUBMISSION 2021**

1. Students from this 'region' (3-ROND) will attend the new replacement Millie Isles secondary school.

	Year 1 2021/22	Year 2 2022/23	Year 3 2023/24	Year 4 2024/25	Year 5 2025/26	Year 6 2026/27	Year 7 2027/28	Year 8 2028/29	Year 9 2029/30	Year 10 2030/31	Year 11 2031/32	Year 12 2032/33	Year 13 2033/34	Year 14 2034/35	Year 15 2035/36
Low Density	55	56	49	56	56	46	50	57	51	56	41	45	42	51	51
Medium Density	2	10	6	2	1	15	4	4	7	1	2	8	7	3	3
High Density - Apartments	58	40	10	37	35	35	5	32	32	40	50	32	30	42	42
<b>A Total Net Dwelling Units</b>	<b>115</b>	<b>106</b>	<b>65</b>	<b>95</b>	<b>92</b>	<b>96</b>	<b>60</b>	<b>93</b>	<b>90</b>	<b>97</b>	<b>93</b>	<b>85</b>	<b>79</b>	<b>96</b>	<b>96</b>

**Review Area: FPS01 United Counties: Leeds & Grenville incl. Westport, Gananoque, Rideau Lakes (except South Emsley), Leeds and the Thousand Islands**

Projected Housing Growth	Year 1 2021/22	Year 2 2022/23	Year 3 2023/24	Year 4 2024/25	Year 5 2025/26	Year 6 2026/27	Year 7 2027/28	Year 8 2028/29	Year 9 2029/30	Year 10 2030/31	Year 11 2031/32	Year 12 2032/33	Year 13 2033/34	Year 14 2034/35	Year 15 2035/36
Low Density	55	56	49	56	56	46	50	57	51	56	41	45	42	51	51
Medium Density	2	10	6	2	1	15	4	4	7	1	2	8	7	3	3
High Density - Apartments	58	40	10	37	35	35	5	32	32	40	50	32	30	42	42
<b>A Total Net Dwelling Units</b>	<b>115</b>	<b>106</b>	<b>65</b>	<b>95</b>	<b>92</b>	<b>96</b>	<b>60</b>	<b>93</b>	<b>90</b>	<b>97</b>	<b>93</b>	<b>85</b>	<b>79</b>	<b>96</b>	<b>96</b>

**Review Area Schools not Impacted by New Housing Development, or for which no Growth-related Accommodation Solutions are Required**

Review Area Schools	OTG Capacity	Current 2020/21	Year 1 2021/22	Year 2 2022/23	Year 3 2023/24	Year 4 2024/25	Year 5 2025/26	Year 6 2026/27	Year 7 2027/28	Year 8 2028/29	Year 9 2029/30	Year 10 2030/31	Year 11 2031/32	Year 12 2032/33	Year 13 2033/34	Year 14 2034/35	Year 15 2035/36
B1																	
B2																	
B3																	
B4																	
B5																	
B6																	
B7																	
B8																	
B9																	
B10																	
Totals																	
Total ROND																	
Total Surplus Pupil Spaces																	

**Review Area Schools Impacted by Housing Growth and for which additional Growth-related Accommodation Solutions are Required**

Review Area Schools	OTG Capacity	Current 2020/21	Year 1 2021/22	Year 2 2022/23	Year 3 2023/24	Year 4 2024/25	Year 5 2025/26	Year 6 2026/27	Year 7 2027/28	Year 8 2028/29	Year 9 2029/30	Year 10 2030/31	Year 11 2031/32	Year 12 2032/33	Year 13 2033/34	Year 14 2034/35	Year 15 2035/36
C1																	
C2																	
C3																	
C4																	
C5																	
C6																	
C7																	
C8																	
Totals																	
Total Pupil Spaces Available to Accommodate Growth																	
D Requirements of New Development for Growth Areas (Cumulative)																	



**Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area - FORMS E AND F  
EDUCATION DEVELOPMENT CHARGES SUBMISSION 2021**

1. Students from this 'region' (6ROND) will attend the new replacement Mile Illes secondary school.	Total INGRPP																	Weighted/ Blended Elementary Yield	Total Net New Units 2035/36	Total Yr. 15 Growth- related Pupils
2.	0																	-	695	-
4.	High Density - Apartments																	-	358	-
	Total Net Dwelling Units																	0.0021	2,817	6

**Review Area: FPS03 County of Lennox & Addington south of Highway 7**

Projected Housing Growth	Year 1 2021/22	Year 2 2022/23	Year 3 2023/24	Year 4 2024/25	Year 5 2025/26	Year 6 2026/27	Year 7 2027/28	Year 8 2028/29	Year 9 2029/30	Year 10 2030/31	Year 11 2031/32	Year 12 2032/33	Year 13 2033/34	Year 14 2034/35	Year 15 2035/36
Low Density	120	120	119	120	119	124	124	123	124	124	109	110	110	109	109
Medium Density	47	45	49	49	47	45	47	47	49	47	43	42	44	47	47
High Density - Apartments	25	25	25	25	25	24	24	24	24	24	22	22	23	23	23
<b>A. Total Net Dwelling Units</b>	<b>192</b>	<b>190</b>	<b>193</b>	<b>194</b>	<b>191</b>	<b>193</b>	<b>195</b>	<b>194</b>	<b>197</b>	<b>195</b>	<b>174</b>	<b>174</b>	<b>177</b>	<b>179</b>	<b>179</b>

**Review Area Schools not Impacted by New Housing Development, or for which no Growth-related Accommodation Solutions are Required**

Review Area Schools	OTG Capacity 2020/21	Year 1 2021/22	Year 2 2022/23	Year 3 2023/24	Year 4 2024/25	Year 5 2025/26	Year 6 2026/27	Year 7 2027/28	Year 8 2028/29	Year 9 2029/30	Year 10 2030/31	Year 11 2031/32	Year 12 2032/33	Year 13 2033/34	Year 14 2034/35	Year 15 2035/36
B1																
B2																
B3																
B4																
B5																
B6																
B7																
B8																
B9																
B10																
Totals																
Total ROND																
Total Surplus Pupil Spaces																

**Review Area Schools Impacted by Housing Growth and for which additional Growth-related Accommodation Solutions are Required**

Review Area Schools	OTG Capacity 2020/21	Year 1 2021/22	Year 2 2022/23	Year 3 2023/24	Year 4 2024/25	Year 5 2025/26	Year 6 2026/27	Year 7 2027/28	Year 8 2028/29	Year 9 2029/30	Year 10 2030/31	Year 11 2031/32	Year 12 2032/33	Year 13 2033/34	Year 14 2034/35	Year 15 2035/36
C1																
C2																
C3																
C4																
C5																
C6																
C7																
C8																
Totals																
Total Pupil Spaces Available to Accommodate Growth																
Requirements of New Development for Growth Areas (Cumulative)																



### Form G Secondary

There are no growth-related secondary site needs with the construction of the new new Mille-Îles school at 1290 Wheathill St. Kingston and scheduled to open in April 2023.

Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area  
Education Development Charges Submission 2021  
Form H1 - EDC Calculation - Uniform Residential and Non-Residential

Distribution of GRNELC Based on Proportionate Share of Requirements of New Development

**Determination of Total Growth-Related Net Education Land Costs**

<b>Total</b>	<b>15-Year Education Land Costs (Form G)</b>	\$ 4,372,789
<b>Total</b>	<b>Unfunded Financial Obligations</b>	\$ -
Less	Operating Budget Savings	\$ -
	Alternative Accommodation Arrangements	\$ -
	Positive EDC Account Balance	\$ -
<b>Subtotal</b>	<b>Growth-Related Net Education Land Costs</b>	<b>\$ 4,372,789</b>
Add	EDC Study Costs	\$ 260,000
<b>Total</b>	<b>Growth-Related Net Education Land Costs</b>	<b>\$ 4,632,789</b>

EDC By-law #1	EDC By-law #2	EDC By-law #3
Portion of United Counties of Leeds and Grenville 9.8%	Portion of County of Frontenac 69.3%	Portion of Lennox and Addington County 20.9%
\$ 427,110	\$ 3,030,444	\$ 915,235
\$ -	\$ -	\$ -
\$ -	\$ -	\$ -
\$ -	\$ -	\$ -
\$ -	\$ -	\$ -
\$ 427,110	\$ 3,030,444	\$ 915,235
\$ 25,395	\$ 180,186	\$ 54,419
<b>\$ 452,505</b>	<b>\$ 3,210,631</b>	<b>\$ 969,654</b>

**Apportionment of Total 15-Year Growth-Related Net Education Land Costs**

Total Growth-Related Net Education Land Costs to be Attributed to Non-Residential Development (Maximum 40%)	0%	\$ -			
Total Growth-Related Net Education Land Costs to be Attributed to Residential Development	100%	\$ 4,632,789	\$ 452,505	\$ 3,210,631	\$ 969,654

**Apportionment of Total 15-Year Growth-Related Net Education Land Costs**

**Calculation of Uniform Residential Charge**

Residential Growth-Related Net Education Land Costs	\$ 4,632,789	\$ 452,505	\$ 3,210,631	\$ 969,654
Net New Dwelling Units (Form C)	12,977	1,358	8,802	2,817
Uniform Residential EDC per Dwelling Unit	\$ 357	\$ 333	\$ 365	\$ 344

**Calculation of Uniform Residential Charge**

**Calculation of Non-Residential Charge - Use Either Board**

Non-Residential Growth-Related Net Education Land Costs	\$ -			
GFA Method	Non-Exempt Board-Determined GFA (Form D)	-		
	Non-Residential EDC per Square Foot of GFA	0	\$ -	\$ -

**Calculation of Non-Residential Charge - Use Either Board**

Financing costs related to 15-year Projected EDC-eligible expenditures:

\$ -

Conseil des Écoles Publiques de l'Est de l'Ontario - Kingston Catchment Area  
 Ontario Ministry of Education  
 Education Development Charges Submission 2021  
 Form H2 - EDC Calculation - Differentiated Residential

Residential Growth-Related Net Education Land Cost \$ 4,632,789

**Kingston West Differentiated Jurisdiction-wide Rate**  
 Determination of Distribution of New Development

Type of Development (Form B)	Net New Units (Form B & C)	15-Year Elementary Pupil Yield (Form E)	Elementary Gross Requirements of New Development	Distribution of Elementary Gross Requirements of New Development	15-Year Secondary Pupil Yield (Form E)	Secondary Gross Requirements of New Development	Total Gross Requirements of New Development	Distribution Factor
Low Density	5,277	0.0305	161	87.50%	0.0049	26	187	86.98%
Medium Density	1,560	0.0115	18	9.78%	0.0019	3	21	9.77%
High Density	6,140	0.0008	5	2.72%	0.0003	2	7	3.26%
<b>Total Units</b>	<b>12,977</b>	<b>0.0142</b>	<b>184</b>	<b>100.00%</b>	<b>0.0024</b>	<b>31</b>	<b>215</b>	<b>100.00%</b>

Jurisdiction-wide Cost per Dwelling Unit \$357

Calculation of Differentiated Charge Based on Pupil Yields per Unit:

Type of Development (Form B)	Apportionment of Residential Net Education Land Cost by Development Type	Net New Units	Differentiated Residential EDC per Unit by Development Type	Type of Development (Form B)	United Counties Leeds & Grenville incl. Westport, Gananoque, Rideau Lakes (except South Elmsley), Leeds and the Thousand Islands	South Frontenac Township, Frontenac Islands & City of Kingston	County of Lennox & Addington south of Highway 7
Low Density	\$4,029,449	5,277	\$ 764	Low Density	\$528	\$1,020	\$479
Medium Density	\$452,505	1,560	\$ 290	Medium Density	\$331	\$384	\$179
High Density	\$150,835	6,140	\$ 25	High Density	\$48	\$19	\$0
<b>Total EDC Revenue Generated:</b>	<b>\$4,632,789</b>	<b>12,977</b>			<b>\$452,505</b>	<b>3,210,631</b>	<b>969,654</b>

Total EDC Revenue Generated:

## APPENDIX B - DRAFT EDC BY-LAW #1

### EDUCATION DEVELOPMENT CHARGES BY-LAW CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO BY-LAW N° 01-2021-RAS-L&G

**A by-law for the imposition of education development charges  
in the western portion of the United Counties of Leeds and Grenville**  
(the Town of Gananoque, the Township of Leeds and The Thousand Islands, the Township of  
Rideau Lakes (except South Elmsley), and the Town of Westport)

#### BACKGROUND

**WHEREAS** the *Education Act*, R.S.O. 1990, c. E.2, as amended or a successor statute (hereinafter the “Act”) authorizes a district school board to pass by-laws for the imposition of education development charges against land undergoing residential and non-residential development in the area of jurisdiction of the board where residential development in such area would increase education land costs;

**AND WHEREAS** the Conseil des écoles publiques de l'Est de l'Ontario (hereinafter the “Board”) has determined that there is residential development in the western portion of the United Counties of Leeds and Grenville that will increase education land costs;

**AND WHEREAS** the Board has referred its estimates of the total number of new elementary and secondary pupils and its estimates of the number of elementary and secondary school sites used to determine the net education land costs to the Minister of Education for approval, and such estimates have been approved by the Minister of Education.

**AND WHEREAS** the Board has complied with the conditions prescribed by section 10 of Ontario Regulation 20/98;

**AND WHEREAS** the Board has conducted a review of its education development charge policies, completed an education development charge background study in relation to the by-law charging area, given notice, and held a public meeting on April 27, 2021, in accordance with section 257.60 and section 257.63 of the Act;

**AND WHEREAS** the Board has heard all persons who applied to be heard during the public meeting and who made representations relating to the proposed by-law;

**AND WHEREAS** the Board at its meeting of May 25, 2021, directed that education development charges be imposed on land undergoing residential development or redevelopment within the geographical limits of the by-law charging area, as hereinafter provided;

NOW THEREFORE THE CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO ENACTS AS FOLLOWS:

## PART I APPLICATION

### **Definitions**

1. The Definitions and terms contained in this By-law shall have the same meanings as those contained in the Act and the Regulations made in accordance with the Act, as amended from time to time. In the event of ambiguity, the Definitions contained in this By-law shall prevail.
2. In this By-law,
  - a. "Act" means the *Education Act*, R.S.O. 1990, c. E.2, as amended, or a successor statute;
  - b. "Board" means the Conseil des écoles publiques de l'Est de l'Ontario;
  - c. "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes redevelopment ("*aménagement*");
  - d. "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, group home, mobile home, duplex, triplex, semi-detached dwelling, single detached dwelling, stacked row dwelling (townhouse), back-to-back townhouses, row dwelling (townhouse), the residential portion of a mixed-use building or structure, and a cottage or seasonal dwelling unit that is capable of being occupied year-round. Notwithstanding the forgoing, (i) a unit or room in a temporary accommodation to the travelling or vacationing public and (ii) living accommodation in a nursing home as defined in and governed by the

provisions of the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8, shall not constitute dwellings units for purposes of this By-law.

- e. "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).
- f. "education development charge" means development charges imposed pursuant to this By-law in accordance with the Act;
- g. "farm buildings" are defined as a building or structure located on a bona fide farm which is necessary and ancillary to a bona fide farm operation including barns, tool sheds and silos and other farm related structures for such purposes as sheltering of livestock or poultry, storage of farm produce and feed, and storage of farm related machinery, and equipment but shall not include a dwelling unit or other structure used for residential accommodation or any buildings or parts thereof used for other commercial, industrial or institutional purposes qualifying as non-residential development;
- h. "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 or structure is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure;

- i. "mixed use development" means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential uses;
- j. "non-residential development" means a development other than a residential development and includes commercial, industrial and institutional development; and
- k. "residential development" means a development comprised of land or buildings or structures of any kind whatsoever, used, designed or intended to be used as living accommodations for one or more individuals and includes land or a building or part thereof used, designed or intended for a use in connection therewith.

### **Application of By-law and Exemptions**

- 3. (1) Subject to any exemption contained herein this By-law applies to the following lands located within **the United Counties of Leeds and Grenville: the Town of Gananoque, the Township of Leeds and the Thousand Islands, Township of Rideau Lakes (except South Elmsley); and the Town of Westport.**
- (2) This By-law shall apply to all categories of residential development and all related uses of land, buildings or structures thereof; and
- (3) This By-law shall not apply to lands that are owned by and are used for the purpose of:
  - i. a municipality;
  - ii. a district school board;
  - iii. a publicly-funded university, community college or a college of applied arts and technology established under the *Ministry of Colleges and Universities Act*, R.S.O. 1990, c. M.19 or a predecessor statute;
  - iv. residential development on lands designated as a farm retirement lots being a lot adjacent to a farming lot on which a dwelling unit is to be built for the residence of a person who had conducted farming on the adjacent farming lot;

- v. a place of worship and land used in connection therewith, and every churchyard, cemetery or burying ground, if they are exempt from taxation under section 3 of the *Assessment Act*, R.S.O. 1990, c. A.31 as amended;
- vi. farm buildings as defined herein.

### **Development Approvals**

- 4. In accordance with the Act and this By-law, the Board imposes an education development charge against land undergoing residential development or redevelopment within the by-law charging area, if the residential development or redevelopment requires any one of those actions set out in sub-section 257.54 (2) of the Act (or any successor provision thereto) as follows:
  - a. the passing of a zoning By-law or of an amendment thereto under section 34 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - b. the approval of a minor variance under section 45 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - c. a conveyance of land to which a By-law passed under subsection 50 (7) of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto) applies;
  - d. the approval of a plan of subdivision under section 51 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - e. a consent under section 53 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - f. the approval of a description pursuant to the provisions of the *Condominium Act, 1998*, S.O. 1998, c. 19 (or any successor provision thereto); or
  - g. the issuing of a permit under the *Building Code Act, 1992*, S.O. 1992, c. 23 in relation to a building or structure.



## PART II

### EDUCATION DEVELOPMENT CHARGES

#### A. Residential Education Development Charges

5. Subject to the provisions of this By-law, an education development charge per dwelling unit shall be imposed upon all categories of residential development and all 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. An Education Development Charge will be collected once in respect of a particular residential development, but the foregoing does not prevent the application of this By-law to future development of the same property. The schedule of residential rates is as follows:

EDC Calculated Rate (per Dwelling Unit)	Year 1 Rates May 31, 2021 to May 30, 2022	Year 2 Rates May 31, 2022 to May 30, 2023	Year 3 Rates May 31, 2023 to May 30, 2024	Year 4 Rates May 31, 2024 to May 30, 2025	Year 5 Rates May 31, 2025 to May 30, 2026
\$333	\$300	\$333	\$333	\$333	\$333

#### Exemptions from Residential Education Development Charges

6. As required by subsection 257.54 (3) of the Act, an education development charge shall not be imposed with respect to,
- a. the enlargement of an existing dwelling unit that does not create an additional dwelling unit; or
  - b. the creation of one or two additional dwelling units as prescribed in section 3 of O. Reg. 20/98, *Education Development Charges – General* as follows:

Name of Class of Residential Building	Description of Class of Residential Buildings	Maximum Number of Additional Dwelling Units	Restrictions
Single detached dwellings	Residential buildings, each of which contains a single dwelling unit, that are not attached to other buildings	Two	The total gross floor area of the additional dwelling unit or units must be less than or equal to the gross floor area of the dwelling unit already in the building

Semi-detached dwellings or row dwellings	Residential buildings, each of which contains a single dwelling unit, that have one or two vertical walls, but no other parts, attached to other buildings	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the dwelling unit already in the building
Other residential buildings	A residential building not in another class of residential building described in this table	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the smallest dwelling unit already in the building

7. Pursuant to section 4 of O. Reg. 20/98, *Education Development Charges – General*:

- (1) Education development charges under section 5 of this By-law shall not be imposed with respect to the replacement, on the same site, of a dwelling unit that was destroyed by fire, demolition or otherwise, or that was so damaged by fire, demolition or otherwise as to render it uninhabitable.
- (2) Notwithstanding section 7(1) of this By-law, education development charges shall be imposed in accordance with section 5 of this By-law if the building permit for the replacement dwelling unit is issued more than 2 years after,
  - (i) the date the former dwelling unit was destroyed or became uninhabitable; or
  - (ii) if the former dwelling unit was demolished pursuant to a demolition permit issued before the former dwelling unit was destroyed or became uninhabitable, the date the demolition permit was issued.
- (3) Notwithstanding section 7(1) of this By-law, education development charges shall be imposed in accordance with section 5 of this By-law against any dwelling unit or units on the same site which are built in addition to the dwelling unit or units being replaced. The onus is on the applicant to produce evidence to the satisfaction of the Board, acting reasonably, to establish the number of dwelling units being replaced.
- (4) An education development charge shall be imposed in accordance with section 5 of this By-law where a non-residential building or structure is replaced by or converted to in whole or in part, a dwelling unit or units.

**B. Non-Residential Development**

8. Subject to the provisions of this by-law, no education development charge shall be imposed upon all categories of non-residential development and all 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 uses building or structure.
9. Notwithstanding section 8 of this by-law, education development charges shall be imposed in accordance with section 5 of this by-law if a non-residential building or structure is demolished or destroyed, notably by fire, is replaced by or converted, in whole or in part, into a dwelling unit or units.

**C. Mixed Use Development**

10. The education development charge to be imposed in respect of the Mixed-use development or redevelopment shall be the aggregate of the amount applicable only to the residential development component and not the amount applicable to the non-residential development component.

**PART III****ADMINISTRATION****Payment of Education Development Charges**

11. Education development charges are payable in full to the municipality in which the development takes place on the date a building permit is issued in relation to a building or structure on land to which this education development charges By-law applies.
12. The Treasurer of the Board shall establish and maintain an education development charge reserve fund in accordance with the Act, the Regulation and this By-law.

**Collection of Unpaid Education Development Charges**

13. Part XI of the *Municipal Act 2001*, S.O. 2001, c. 25 applies with necessary modifications with respect to an education development charge or any part of it that remains unpaid after it is payable.

**Date By-law In Force**

14. This By-law shall come into force at 12:01 a.m. on May 31, 2021.

**Severability**

15. In the event any provision, or part thereof, of this By-law is found by a court of competent jurisdiction to be *ultra vires*, such provision, or part thereof, shall be

deemed to be severed, and the remaining portion of such provision and all other provisions of this By-law shall remain in full force and effect.

### **Interpretation**

16. Nothing in this By-law shall be construed so as to commit or require the Board to authorize or proceed with any specific school site purchase or capital project at any time.
17. In this By-law 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. The same is true for any reference made to a regulation or a section of a regulation in this by-law.
18. The French language version of this By-law is the official version hereof.

### **Short Title**

19. This By-law may be cited as the Conseil des écoles publiques de l'Est de l'Ontario Education Development Charges By-law N° 01-2021-RAS-L&G

ENACTED AND PASSED this 25<sup>th</sup> day of May 2021.

Denis M. Chartrand  
Chairperson

Sylvie C. R. Tremblay  
Director of Education and Secretary-Treasurer

## APPENDIX B - DRAFT EDC BY-LAW #2

### EDUCATION DEVELOPMENT CHARGES BY-LAW CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO BY-LAW N° 01-2021-RAS-Frontenac

A by-law for the imposition of education development charges  
in the County of Frontenac (except the Townships of North and Central Frontenac),  
and the City of Kingston

#### BACKGROUND

**WHEREAS** the *Education Act*, R.S.O. 1990, c. E.2, as amended or a successor statute (hereinafter the “Act”) authorizes a district school board to pass by-laws for the imposition of education development charges against land undergoing residential and non-residential development in the area of jurisdiction of the board where residential development in such area would increase education land costs;

**AND WHEREAS** the Conseil des écoles publiques de l'Est de l'Ontario (hereinafter the “Board”) has determined that there is residential development in the southern portion of the County of Frontenac that will increase education land costs;

**AND WHEREAS** the Board has referred its estimates of the total number of new elementary and secondary pupils and its estimates of the number of elementary and secondary school sites used to determine the net education land costs to the Minister of Education for approval, and such estimates have been approved by the Minister of Education.

**AND WHEREAS** the Board has complied with the conditions prescribed by section 10 of Ontario Regulation 20/98;

**AND WHEREAS** the Board has conducted a review of its education development charge policies, completed an education development charge background study in relation to the by-law charging area, given notice, and held a public meeting on April 27, 2021, in accordance with section 257.60 and section 257.63 of the Act;

**AND WHEREAS** the Board has heard all persons who applied to be heard during the public meeting and who made representations relating to the proposed by-law;

**AND WHEREAS** the Board at its meeting of May 25, 2021, directed that education development charges be imposed on land undergoing residential development or

redevelopment within the geographical limits of the by-law charging area, as hereinafter provided;

NOW THEREFORE THE CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO ENACTS AS FOLLOWS:

## PART I APPLICATION

### Definitions

7. The Definitions and terms contained in this By-law shall have the same meanings as those contained in the Act and the Regulations made in accordance with the Act, as amended from time to time. In the event of ambiguity, the Definitions contained in this By-law shall prevail.
  
8. In this By-law,
  - l. "Act" means the *Education Act*, R.S.O. 1990, c. E.2, as amended, or a successor statute;
  
  - m. "Board" means the Conseil des écoles publiques de l'Est de l'Ontario;
  
  - n. "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes redevelopment ("*aménagement*");
  
  - o. "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, group home, mobile home, duplex, triplex, semi-detached dwelling, single detached dwelling, stacked row dwelling (townhouse), back-to-back townhouses, row dwelling (townhouse), the residential portion of a mixed-use building or structure, and a cottage or seasonal dwelling unit that is capable of being occupied year-round. Notwithstanding the forgoing, (i) a unit or room in a temporary accommodation to the travelling or vacationing public and (ii) living accommodation in a nursing home as defined in and governed by the provisions of the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8, shall not constitute dwellings units for purposes of this By-law.

- p. "education land costs" means costs incurred or proposed to be incurred by the Board,
- vi. to acquire land or an interest in land, including a leasehold interest, to be used by the Board to provide pupil accommodation;
  - vii. 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;
  - viii. to prepare and distribute education development charge background studies as required under the Act;
  - ix. as interest on money borrowed to pay for costs described in paragraphs (i) and (ii); and
  - x. to undertake studies in connection with an acquisition referred to in paragraph (i).
- q. "education development charge" means development charges imposed pursuant to this By-law in accordance with the Act;
- r. "farm buildings" are defined as a building or structure located on a bona fide farm which is necessary and ancillary to a bona fide farm operation including barns, tool sheds and silos and other farm related structures for such purposes as sheltering of livestock or poultry, storage of farm produce and feed, and storage of farm related machinery, and equipment but shall not include a dwelling unit or other structure used for residential accommodation or any buildings or parts thereof used for other commercial, industrial or institutional purposes qualifying as non-residential development;
- s. "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 or structure is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure;
- t. "mixed use development" means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential uses;

- u. "non-residential development" means a development other than a residential development and includes commercial, industrial and institutional development; and
- v. "residential development" means a development comprised of land or buildings or structures of any kind whatsoever, used, designed or intended to be used as living accommodations for one or more individuals and includes land or a building or part thereof used, designed or intended for a use in connection therewith.

### **Application of By-law and Exemptions**

9. (1) Subject to any exemption contained herein this By-law applies to the following lands located within **the County of Frontenac (excluding the Townships of North and Central Frontenac), and lands located in the City of Kingston.**
- (2) This By-law shall apply to all categories of residential development and all related uses of land, buildings or structures thereof; and
- (3) This By-law shall not apply to lands that are owned by and are used for the purpose of:
- vii. a municipality;
  - viii. a district school board;
  - ix. a publicly-funded university, community college or a college of applied arts and technology established under the *Ministry of Colleges and Universities Act*, R.S.O. 1990, c. M.19 or a predecessor statute;
  - x. residential development on lands designated as a farm retirement lots being a lot adjacent to a farming lot on which a dwelling unit is to be built for the residence of a person who had conducted farming on the adjacent farming lot;
  - xi. a place of worship and land used in connection therewith, and every churchyard, cemetery or burying ground, if they are exempt from taxation under section 3 of the *Assessment Act*, R.S.O. 1990, c. A.31 as amended;



- xii. farm buildings as defined herein.

### **Development Approvals**

- 10. In accordance with the Act and this By-law, the Board imposes an education development charge against land undergoing residential development or redevelopment within the by-law charging area, if the residential development or redevelopment requires any one of those actions set out in sub-section 257.54 (2) of the Act (or any successor provision thereto) as follows:
  - h. the passing of a zoning By-law or of an amendment thereto under section 34 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - i. the approval of a minor variance under section 45 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - j. a conveyance of land to which a By-law passed under subsection 50 (7) of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto) applies;
  - k. the approval of a plan of subdivision under section 51 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - l. a consent under section 53 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - m. the approval of a description pursuant to the provisions of the *Condominium Act, 1998*, S.O. 1998, c. 19 (or any successor provision thereto); or
  - n. the issuing of a permit under the *Building Code Act, 1992*, S.O. 1992, c. 23 in relation to a building or structure.

## PART II

### EDUCATION DEVELOPMENT CHARGES

#### A. Residential Education Development Charges

11. Subject to the provisions of this By-law, an education development charge per dwelling unit shall be imposed upon all categories of residential development and all 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. An Education Development Charge will be collected once in respect of a particular residential development, but the foregoing does not prevent the application of this By-law to future development of the same property. The schedule of residential rates is as follows:

EDC Calculated Rate (per Dwelling Unit)	Year 1 Rates May 31, 2021 to May 30, 2022	Year 2 Rates May 31, 2022 to May 30, 2023	Year 3 Rates May 31, 2023 to May 30, 2024	Year 4 Rates May 31, 2024 to May 30, 2025	Year 5 Rates May 31, 2025 to May 30, 2026
\$365	\$300	\$365	\$365	\$365	\$365

#### Exemptions from Residential Education Development Charges

12. As required by subsection 257.54 (3) of the Act, an education development charge shall not be imposed with respect to,
- c. the enlargement of an existing dwelling unit that does not create an additional dwelling unit; or
  - d. the creation of one or two additional dwelling units as prescribed in section 3 of O. Reg. 20/98, *Education Development Charges – General* as follows:

Name of Class of Residential Building	Description of Class of Residential Buildings	Maximum Number of Additional Dwelling Units	Restrictions
Single detached dwellings	Residential buildings, each of which contains a single dwelling unit, that are not attached to other buildings	Two	The total gross floor area of the additional dwelling unit or units must be less than or equal to the gross floor area of the dwelling unit already in the building

Semi-detached dwellings or row dwellings	Residential buildings, each of which contains a single dwelling unit, that have one or two vertical walls, but no other parts, attached to other buildings	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the dwelling unit already in the building
Other residential buildings	A residential building not in another class of residential building described in this table	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the smallest dwelling unit already in the building

7. Pursuant to section 4 of O. Reg. 20/98, *Education Development Charges – General*:

- (1) Education development charges under section 5 of this By-law shall not be imposed with respect to the replacement, on the same site, of a dwelling unit that was destroyed by fire, demolition or otherwise, or that was so damaged by fire, demolition or otherwise as to render it uninhabitable.
- (5) Notwithstanding section 7(1) of this By-law, education development charges shall be imposed in accordance with section 5 of this By-law if the building permit for the replacement dwelling unit is issued more than 2 years after,
  - (i) the date the former dwelling unit was destroyed or became uninhabitable; or
  - (ii) if the former dwelling unit was demolished pursuant to a demolition permit issued before the former dwelling unit was destroyed or became uninhabitable, the date the demolition permit was issued.
- (6) Notwithstanding section 7(1) of this By-law, education development charges shall be imposed in accordance with section 5 of this By-law against any dwelling unit or units on the same site which are built in addition to the dwelling unit or units being replaced. The onus is on the applicant to produce evidence to the satisfaction of the Board, acting reasonably, to establish the number of dwelling units being replaced.
- (7) An education development charge shall be imposed in accordance with section 5 of this By-law where a non-residential building or structure is replaced by or converted to in whole or in part, a dwelling unit or units.

**B. Non-Residential Development**

8. Subject to the provisions of this by-law, no education development charge shall be imposed upon all categories of non-residential development and all 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 uses building or structure.
9. Notwithstanding section 8 of this by-law, education development charges shall be imposed in accordance with section 5 of this by-law if a non-residential building or structure is demolished or destroyed, notably by fire, is replaced by or converted, in whole or in part, into a dwelling unit or units.

**C. Mixed Use Development**

10. The education development charge to be imposed in respect of the Mixed-use development or redevelopment shall be the aggregate of the amount applicable only to the residential development component and not the amount applicable to the non-residential development component.

**PART III****ADMINISTRATION****Payment of Education Development Charges**

11. Education development charges are payable in full to the municipality in which the development takes place on the date a building permit is issued in relation to a building or structure on land to which this education development charges By-law applies.
12. The Treasurer of the Board shall establish and maintain an education development charge reserve fund in accordance with the Act, the Regulation and this By-law.

**Collection of Unpaid Education Development Charges**

13. Part XI of the *Municipal Act 2001*, S.O. 2001, c. 25 applies with necessary modifications with respect to an education development charge or any part of it that remains unpaid after it is payable.

**Date By-law In Force**

14. This By-law shall come into force at 12:01 a.m. on May 31, 2021

### **Severability**

15. In the event any provision, or part thereof, of this By-law is found by a court of competent jurisdiction to be *ultra vires*, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this By-law shall remain in full force and effect.

### **Interpretation**

16. Nothing in this By-law shall be construed so as to commit or require the Board to authorize or proceed with any specific school site purchase or capital project at any time.
17. In this By-law 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. The same is true for any reference made to a regulation or a section of a regulation in this by-law.
18. The French language version of this By-law is the official version hereof.

### **Short Title**

19. This By-law may be cited as the Conseil des écoles publiques de l'Est de l'Ontario Education Development Charges By-law N° 01-2021-RAS-Frontenac

ENACTED AND PASSED this 25<sup>th</sup> day of May 2021.

Denis M. Chartrand  
Chairperson

Sylvie C. R. Tremblay  
Director of Education and Secretary-Treasurer

## APPENDIX B - DRAFT EDC BY-LAW #3

### EDUCATION DEVELOPMENT CHARGES BY-LAW CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO BY-LAW N° 01-2021-RAS-L&A

**A by-law for the imposition of education development charges  
in the southern portion of the Lennox and Addington County**  
(the portion of Lennox and Addington County that includes the Town of Greater Napanee, the  
Township of Loyalist including Amherst Island and the Township of Stone Mills south of Highway 7)

#### BACKGROUND

**WHEREAS** the *Education Act*, R.S.O. 1990, c. E.2, as amended or a successor statute (hereinafter the “Act”) authorizes a district school board to pass by-laws for the imposition of education development charges against land undergoing residential and non-residential development in the area of jurisdiction of the board where residential development in such area would increase education land costs;

**AND WHEREAS** the Conseil des écoles publiques de l'Est de l'Ontario (hereinafter the “Board”) has determined that there is residential development in the southern portion of Lennox and Addington County that will increase education land costs;

**AND WHEREAS** the Board has referred its estimates of the total number of new elementary and secondary pupils and its estimates of the number of elementary and secondary school sites used to determine the net education land costs to the Minister of Education for approval, and such estimates have been approved by the Minister of Education.

**AND WHEREAS** the Board has complied with the conditions prescribed by section 10 of Ontario Regulation 20/98;

**AND WHEREAS** the Board has conducted a review of its education development charge policies, completed an education development charge background study in relation to the by-law charging area, given notice, and held a public meeting on April 27, 2021, in accordance with section 257.60 and section 257.63 of the Act;

**AND WHEREAS** the Board has heard all persons who applied to be heard during the public meeting and who made representations relating to the proposed by-law;

**AND WHEREAS** the Board at its meeting of May 25, 2021, directed that education development charges be imposed on land undergoing residential development or redevelopment within the geographical limits of the by-law charging area, as hereinafter provided;

NOW THEREFORE THE CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO ENACTS AS FOLLOWS:

## PART I APPLICATION

### Definitions

13. The Definitions and terms contained in this By-law shall have the same meanings as those contained in the Act and the Regulations made in accordance with the Act, as amended from time to time. In the event of ambiguity, the Definitions contained in this By-law shall prevail.
14. In this By-law,
  - w. "Act" means the *Education Act*, R.S.O. 1990, c. E.2, as amended, or a successor statute;
  - x. "Board" means the Conseil des écoles publiques de l'Est de l'Ontario;
  - y. "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes redevelopment ("*aménagement*");
  - z. "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, group home, mobile home, duplex, triplex, semi-detached dwelling, single detached dwelling, stacked row dwelling (townhouse), back-to-back townhouses, row dwelling (townhouse), the residential portion of a mixed-use building or structure, and a cottage or seasonal dwelling unit that is capable of being occupied year-round. Notwithstanding the forgoing, (i) a unit or room in a temporary accommodation to the travelling or vacationing public and (ii) living accommodation in a nursing home as defined in and governed by the

provisions of the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8, shall not constitute dwellings units for purposes of this By-law.

- aa. "education land costs" means costs incurred or proposed to be incurred by the Board,
- xi. to acquire land or an interest in land, including a leasehold interest, to be used by the Board to provide pupil accommodation;
  - xii. 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;
  - xiii. to prepare and distribute education development charge background studies as required under the Act;
  - xiv. as interest on money borrowed to pay for costs described in paragraphs (i) and (ii); and
  - xv. to undertake studies in connection with an acquisition referred to in paragraph (i).
- bb. "education development charge" means development charges imposed pursuant to this By-law in accordance with the Act;
- cc. "farm buildings" are defined as a building or structure located on a bona fide farm which is necessary and ancillary to a bona fide farm operation including barns, tool sheds and silos and other farm related structures for such purposes as sheltering of livestock or poultry, storage of farm produce and feed, and storage of farm related machinery, and equipment but shall not include a dwelling unit or other structure used for residential accommodation or any buildings or parts thereof used for other commercial, industrial or institutional purposes qualifying as non-residential development;
- dd. "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 or structure is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure;



- ee. "mixed use development" means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential uses;
- ff. "non-residential development" means a development other than a residential development and includes commercial, industrial and institutional development; and
- gg. "residential development" means a development comprised of land or buildings or structures of any kind whatsoever, used, designed or intended to be used as living accommodations for one or more individuals and includes land or a building or part thereof used, designed or intended for a use in connection therewith.

### **Application of By-law and Exemptions**

- 15. (1) Subject to any exemption contained herein this By-law applies to the following lands located within **the Lennox and Addington County, specifically the Town of Greater Napanee, the Township of Loyalist including Amherst Island, and the Township of Stone Mills south of Highway 7.**
- (2) This By-law shall apply to all categories of residential development and all related uses of land, buildings or structures thereof; and
- (3) This By-law shall not apply to lands that are owned by and are used for the purpose of:
  - xiii. a municipality;
  - xiv. a district school board;
  - xv. a publicly-funded university, community college or a college of applied arts and technology established under the *Ministry of Colleges and Universities Act*, R.S.O. 1990, c. M.19 or a predecessor statute;
  - xvi. residential development on lands designated as a farm retirement lots being a lot adjacent to a farming lot on which a dwelling unit is to be built for the residence of a person who had conducted farming on the adjacent farming lot;

- xvii. a place of worship and land used in connection therewith, and every churchyard, cemetery or burying ground, if they are exempt from taxation under section 3 of the *Assessment Act*, R.S.O. 1990, c. A.31 as amended;
- xviii. farm buildings as defined herein.

### **Development Approvals**

16. In accordance with the Act and this By-law, the Board imposes an education development charge against land undergoing residential development or redevelopment within the by-law charging area, if the residential development or redevelopment requires any one of those actions set out in sub-section 257.54 (2) of the Act (or any successor provision thereto) as follows:
- o. the passing of a zoning By-law or of an amendment thereto under section 34 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - p. the approval of a minor variance under section 45 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - q. a conveyance of land to which a By-law passed under subsection 50 (7) of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto) applies;
  - r. the approval of a plan of subdivision under section 51 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - s. a consent under section 53 of the *Planning Act*, R.S.O. 1990, c. P.13 (or any successor provision thereto);
  - t. the approval of a description pursuant to the provisions of the *Condominium Act, 1998*, S.O. 1998, c. 19 (or any successor provision thereto); or
  - u. the issuing of a permit under the *Building Code Act, 1992*, S.O. 1992, c. 23 in relation to a building or structure.

## PART II

### EDUCATION DEVELOPMENT CHARGES

#### A. Residential Education Development Charges

17. Subject to the provisions of this By-law, an education development charge per dwelling unit shall be imposed upon all categories of residential development and all 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. An Education Development Charge will be collected once in respect of a particular residential development, but the foregoing does not prevent the application of this By-law to future development of the same property. The schedule of residential rates is as follows:

EDC Calculated Rate (per Dwelling Unit)	Year 1 Rates May 31, 2021 to May 30, 2022	Year 2 Rates May 31, 2022 to May 30, 2023	Year 3 Rates May 31, 2023 to May 30, 2024	Year 4 Rates May 31, 2024 to May 30, 2025	Year 5 Rates May 31, 2025 to May 30, 2026
\$344	\$300	\$344	\$344	\$344	\$344

#### Exemptions from Residential Education Development Charges

18. As required by subsection 257.54 (3) of the Act, an education development charge shall not be imposed with respect to,
- e. the enlargement of an existing dwelling unit that does not create an additional dwelling unit; or
  - f. the creation of one or two additional dwelling units as prescribed in section 3 of O. Reg. 20/98, *Education Development Charges – General* as follows:

Name of Class of Residential Building	Description of Class of Residential Buildings	Maximum Number of Additional Dwelling Units	Restrictions
Single detached dwellings	Residential buildings, each of which contains a single dwelling unit, that are not attached to other buildings	Two	The total gross floor area of the additional dwelling unit or units must be less than or equal to the gross floor area of the dwelling unit already in the building

Semi-detached dwellings or row dwellings	Residential buildings, each of which contains a single dwelling unit, that have one or two vertical walls, but no other parts, attached to other buildings	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the dwelling unit already in the building
Other residential buildings	A residential building not in another class of residential building described in this table	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the smallest dwelling unit already in the building

7. Pursuant to section 4 of O. Reg. 20/98, *Education Development Charges – General*:

(1) Education development charges under section 5 of this By-law shall not be imposed with respect to the replacement, on the same site, of a dwelling unit that was destroyed by fire, demolition or otherwise, or that was so damaged by fire, demolition or otherwise as to render it uninhabitable.

(8) Notwithstanding section 7(1) of this By-law, education development charges shall be imposed in accordance with section 5 of this By-law if the building permit for the replacement dwelling unit is issued more than 2 years after,

- (i) the date the former dwelling unit was destroyed or became uninhabitable; or
- (ii) if the former dwelling unit was demolished pursuant to a demolition permit issued before the former dwelling unit was destroyed or became uninhabitable, the date the demolition permit was issued.

(9) Notwithstanding section 7(1) of this By-law, education development charges shall be imposed in accordance with section 5 of this By-law against any dwelling unit or units on the same site which are built in addition to the dwelling unit or units being replaced. The onus is on the applicant to produce evidence to the satisfaction of the Board, acting reasonably, to establish the number of dwelling units being replaced.

(10) An education development charge shall be imposed in accordance with section 5 of this By-law where a non-residential building or structure is replaced by or converted to in whole or in part, a dwelling unit or units.

**B. Non-Residential Development**

8. Subject to the provisions of this by-law, no education development charge shall be imposed upon all categories of non-residential development and all 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 uses building or structure.

9. Notwithstanding section 8 of this by-law, education development charges shall be imposed in accordance with section 5 of this by-law if a non-residential building or structure is demolished or destroyed, notably by fire, is replaced by or converted, in whole or in part, into a dwelling unit or units.

### **C. Mixed Use Development**

10. The education development charge to be imposed in respect of the Mixed-use development or redevelopment shall be the aggregate of the amount applicable only to the residential development component and not the amount applicable to the non-residential development component.

## **PART III**

### **ADMINISTRATION**

#### **Payment of Education Development Charges**

11. Education development charges are payable in full to the municipality in which the development takes place on the date a building permit is issued in relation to a building or structure on land to which this education development charges By-law applies.
12. The Treasurer of the Board shall establish and maintain an education development charge reserve fund in accordance with the Act, the Regulation and this By-law.

#### **Collection of Unpaid Education Development Charges**

13. Part XI of the *Municipal Act 2001*, S.O. 2001, c. 25 applies with necessary modifications with respect to an education development charge or any part of it that remains unpaid after it is payable.

#### **Date By-law In Force**

14. This By-law shall come into force at 12:01 a.m. on May 31, 2021

#### **Severability**

15. In the event any provision, or part thereof, of this By-law is found by a court of competent jurisdiction to be *ultra vires*, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this By-law shall remain in full force and effect.

### **Interpretation**

16. Nothing in this By-law shall be construed so as to commit or require the Board to authorize or proceed with any specific school site purchase or capital project at any time.
17. In this By-law 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. The same is true for any reference made to a regulation or a section of a regulation in this by-law.
18. The French language version of this By-law is the official version hereof.

### **Short Title**

19. This By-law may be cited as the Conseil des écoles publiques de l'Est de l'Ontario Education Development Charges By-law N° 01-2021-RAS-L&A

ENACTED AND PASSED this 25<sup>th</sup> day of May 2021.

Denis M. Chartrand  
Chairperson

Sylvie C. R. Tremblay  
Director of Education and Secretary-Treasurer