



quadrant advisory
group limited

**Algonquin and Lakeshore
Catholic District School Board**

**Education Development Charges Background
Study**

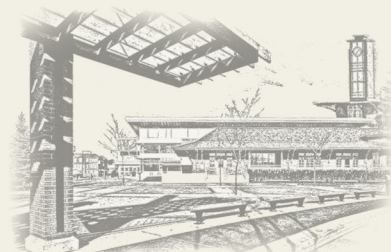
City of Kingston & portions of Lennox and
Addington County

(and Policy Review document for the City of Kingston)

May 31, 2022



enhancing our living and
learning communities



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.

This report 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 Algonquin and Lakeshore Catholic District School Board (ALCDSB) has received approval to construct a new JK-8 elementary school in the Cataraqui Woods development area of Kingston West, and to construct a replacement Our Lady of Mount Carmel with additional pupil places to accommodate enrolment growth.

This report also fulfills section 257.60 of the *Education Act*, requiring that a board conduct a review of the existing EDC policies of the board, in respect of the existing City of Kingston EDC by-law, and in doing so, ensure that adequate information is made available to the public.

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”. The jurisdiction of the ALCDSB is divided into five separate “regions”:

1. The local municipality of South Algonquin
2. The geographic area of the Frontenac Management Board and the local municipality of Kingston
3. The upper-tier municipality of Hastings, the local municipalities of Belleville and Quinte West
4. The upper-tier municipality of Lennox and Addington
5. The local municipality of the County of Prince Edward

While the Board holds legislative responsibility for providing education services in the Highlands East portion of Haliburton County, it is not considered a separate ‘region’ under the EDC legislation.

Historically, the ALCDSB has only imposed education development charges within a portion of the geographic area of the Frontenac Management Board, namely the City of Kingston. In completing this Background study, the Board proposes to consider the adoption of EDC by-laws in both the City of Kingston and the County of Lennox and Addington.

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 successor EDC by-law governing the imposition of EDCs in the City of Kingston cannot exceed the ‘legislative cap’ of \$554 per dwelling unit during the first year of the proposed by-law.

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 assistance of legal counsel, Mr. Jim Easto of the law firm Keel Cottrelle in providing legal advice respecting education development charges, and with 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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Algonquin and Lakeshore Catholic District School Board Education Development Charge Background Study 2022 Growth-related School Site Needs

EXECUTIVE SUMMARY

Education development charges (EDCs) are charges which may be levied by a Board on residential and/or non-residential (i.e. industrial, commercial and institutional) development pursuant to Division E of Part IX of the *Education Act*.

The charges relate to the cost of providing additional land and/or site development costs for pupils generated by the construction and occupancy of new homes. 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 situated within the by-law area 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 Algonquin and Lakeshore Catholic DSB (ALCDSB) Education Development Charges to be implemented in new EDC by-laws.

The Board will seek input from the public, hold public meetings on September 13, 2022 and September 27, 2022, and subsequently give consideration to the public submissions prior to passage of education development charges proposed for September 27, 2022.

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),

subject to the current 'legislative cap'. That is, ALCDSB EDC rates to be imposed by an EDC by-law within the City of Kingston may not exceed \$554 per dwelling unit and \$0.10 per square foot of non-residential gross floor area (should the Board choose to impose non-residential rates) in Year 1

of a 5-year by-law period, consistent with the legislatively-imposed rate ‘cap’. An EDC by-law to be applied within Lennox and Addington County cannot exceed \$300 per residential unit and \$0.10 per square foot of non-residential GFA.

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-2022 to mid-2037; or
- temporary capacity is being used to accommodate the pupils pending funding approval, construction and opening of permanent student accommodation in their resident area; and
- additional land or site development costs are required to meet these growth-related student accommodation needs.

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 ALCDSB students will be generated by the new housing units;
- How many pupil places owned and operated by the ALCDSB are surplus to existing community enrolment needs, and therefore available to accommodate the new housing development over the long term;
- Are portables or surplus capacity elsewhere being used to temporarily accommodate students generated by new housing development and for which a permanent accommodation has not yet been constructed (i.e. current and future holding pupils);
- 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 ALCDSB 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, and for the entire jurisdiction. As such, there is a need to undertake 15-year housing forecasts and student enrolment projections for the entirety of the Board’s jurisdiction. An analysis of the 15-year student accommodation needs within the entire jurisdiction will ensure that the net growth-related land needs underlying the EDC by-laws are consistent with the ALCDSB’s capital priorities.

The ALCDSB qualifies to adopt a successor EDC by-law on the basis that the balance in the EDC account is less than is required to pay outstanding commitments to meet growth-related net education land costs, and projected enrolment over the next 5 years exceeds available capacity on both panels.

FORECASTING DEVELOPMENT

A forecast of new dwelling units and the projected number of ALCDSB students to be generated by new housing development over the 15-year forecast period, was derived from a consideration of:

- Municipal development charge and land needs studies undertaken by each of the municipalities and Counties within the Board’s jurisdiction;
- A spatial matching of the ALCDSB elementary and secondary student data to Municipal Property Assessment (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 ALCDSB schools.

The EDC 15-year housing forecast applicable to the jurisdiction of the ALCDSB, would see the construction and occupancy of 22,527 new dwelling units added to the existing housing stock within the Board’s jurisdiction over the next fifteen years, at an average of 1,502 units per annum. Of the total additional dwelling units, approximately 60.0% are anticipated to be low density (single and semi-detached), 13.2% medium density (row houses, townhouses, etc.), 26.8% high density apartment units (including student housing and market seniors’ units).

FORECASTING STUDENT ACCOMMODATION NEEDS

The site requirements arising from new residential development within the by-law area are derived from the cumulative number of new pupil places required by Year 15 of the forecast period, and for which there are 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 on-the-ground (OTG) capacities. Consultant-prepared 15-year student enrolment projections are used to determine the number of growth-related school sites required as a result of anticipated enrolment. The information respecting projected enrolment and growth-related site needs is compared to, and aligned with, the Board’s capital priority needs.

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. That is, the majority of the students needed to warrant the construction of additional pupil places must already be enrolled with the Board, before funding approval is granted to build the required student spaces. In the interim, existing community

students generated by new housing development may be temporarily accommodated in portables or out-of-area surplus classroom spaces, if available.

The mid-2022 to mid-2037 projections of student enrolment indicate that, for the Board's jurisdiction, the number of ALCDSB JK-8 elementary pupils will increase by 422 (7,915 to 8,337) and Grade 9-12 secondary pupils will increase by 555 (3,603 to 4,158) 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 proposing by-law charging areas being: the City of Kingston and Lennox and Addington County south of Highway 7.

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.

For the ALCDSB, an additional elementary school site was identified for the Kingston West area, in a previous EDC by-law. The Board has subsequently acquired the Kingston West school site, but has insufficient funds to pay for the full site acquisition and site development costs. In Lennox and Addington, the Board proposes the construction of an addition to J. J. O'Neil, and the Ministry of Education has approved the construction of a replacement Our Lady of Mount Carmel with 152 additional pupil places to serve enrolment growth. While the Board is not proposing to acquire additional land at this time, the site development costs for these two projects is included as part of deriving net education land costs.

REQUIREMENT TO ADOPT 'CAPPED' EDC RATES

On November 8, 2019 the Province passed O. Reg. 371/19 providing for 'capped' 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 charges necessary to fund the net education land costs over the next 15 years, known as the 'calculated rate', but the by-law rates reflect the legislative provisions regarding 'capped rates.'

This EDC Background study also addresses the difference between the 'capped' rates and the 'calculated' rates necessary to recover 100% of the growth-related net education land costs, as there is no provincial funding source available to make up the shortfall. 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.

RESULTING PROPOSED EDC RATES

As a result of undertaking all of the necessary research and completing the EDC submission, the proposed education development charge by-laws for the ALCDSB, where 100% of the costs are recovered from residential development (subject to the legislative ‘cap’), are as follows:

ALCDSB Proposed EDC Rates within the City of Kingston

		Year 1	Year 2	Year 3	Year 4	Year 5
	Calculated EDC Rate	In-force Date Oct 3, 2022 to Oct 2, 2023	In-force Date Oct 3, 2023 to Oct 2, 2024	In-force Date Oct 3, 2024 to Oct 2, 2025	In-force Date Oct 3, 2025 to Oct 2, 2026	In-force Date Oct 3, 2026 to Oct 2, 2027
Residential EDC Rate per dwelling unit	\$ 601	\$ 554	\$ 601	\$ 601	\$ 601	\$ 601

ALCDSB Proposed EDC Rates within Lennox and Addington County south of Highway 7

		Year 1	Year 2	Year 3	Year 4	Year 5
	Calculated EDC Rate	In-force Date Oct 3, 2022 to Oct 2, 2023	In-force Date Oct 3, 2023 to Oct 2, 2024	In-force Date Oct 3, 2024 to Oct 2, 2025	In-force Date Oct 3, 2025 to Oct 2, 2026	In-force Date Oct 3, 2026 to Oct 2, 2027
Residential EDC Rate per dwelling unit	\$ 696	\$ 300	\$ 600	\$ 696	\$ 696	\$ 696

The EDC forms for the Board were submitted to the Ministry of Education for approval, on June 10, 2022. 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 as the municipality 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, 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 Algonquin and Lakeshore Catholic DSB EDC By-laws

The Algonquin and Lakeshore Catholic DSB has imposed education development charges within the City of Kingston since October 28, 2002. To date, the Board has not imposed EDCs outside of the City of Kingston.

The Board will meet with interested development community stakeholders and local municipalities prior to consideration of by-law adoption 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)). The first public meeting is scheduled for Tuesday September 13, 2022. Finally, the Board is expected to consider the adoption of a new education development charge by-law on Tuesday September 27, 2022.

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 Ontario Boards with in-force EDC by-laws.



**Algonquin & Lakeshore
Catholic District School Board**

**EDUCATION DEVELOPMENT CHARGES
NOTICE OF PUBLIC MEETINGS**

**POLICY REVIEW PUBLIC MEETING AND
SUCCESSOR AND NEW BY-LAWS PUBLIC MEETING
SEPTEMBER 13, 2022 @ 5:30 PM**

Board Office 151 Dairy Avenue, Napanee, ON K7R 4B2

TAKE NOTICE that on September 13, 2022, the Algonquin and Lakeshore Catholic District School Board will hold a public meeting pursuant to Section 257.60 of the *Education Act* ("Act").

The purpose of the first meeting will be to review the current education development charge policies of the Board and to solicit public input. Any person who attends the meeting may make a representation to the Board in respect of the policies. The Board will also consider any written submissions.

The Board's policies for the current education development charge by-law (applicable to the City of Kingston) are described in the education development charge background study which will be available on or after July 1, 2022, at the Board's administration office, during regular office hours or through the following website: www.alcdsb.on.ca.

The Board will be considering two separate EDC By-laws; one for the City of Kingston, and one for the southern portion of the County of Lennox and Addington (the portion that includes the Town of Greater Napanee, the Township of Loyalist including Amherst Island, the Township of Stone Mills, and the Township of Addington Highlands south of Provincial Highway No. 7). Each By-law will have its own EDC rates.

Immediately following the conclusion of the policy review public meeting, the Board will hold a second public meeting pursuant to Section 257.63 of the *Act* on September 13, 2022 to consider the continued imposition of education development charges in the City of Kingston and the imposition of education development charges in the southern portion of the County, and to inform the public generally about the education development charge proposals. Any person who attends the meeting may make a representation to the Board in respect of the proposals. 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 enactment of the education development charge by-laws.

The education development charge background study required under Section 257.61 of the *Act* setting out the Board's education development charge proposals and the proposed EDC by-laws will be available on or after July 1, 2022 at the Board's administrative office, during regular office hours or through the Board's website.

**PUBLIC MEETING – IN CONSIDERATION OF BY-LAW ADOPTION –
SEPTEMBER 27, 2022 @ 6 PM**

Board Office 151 Dairy Avenue, Napanee, ON K7R 4B2

The purpose of this meeting is to consider the enactment of a successor EDC by-law for the City of Kingston, and a new EDC by-law for the southern portion of the County of Lennox and Addington. Any person who attends the meeting may make representation to the Board 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 three public meetings. 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. Submissions and requests to address the Board as a delegation should be submitted to:

Bryan Davies
Controller of Plant and Planning Services
Algonquin and Lakeshore Catholic District School Board
151 Dairy Avenue
Napanee, Ontario K7R 4B2
Phone: 613-354-6257 x 441
e-mail: davies@alcdsb.on.ca

Any comments or requests for further information regarding this matter may be directed to Bryan Davies, Controller of Plant and Planning Services (at the contact points listed above) during regular office hours.

ALGONQUIN AND LAKESHORE CATHOLIC DISTRICT SCHOOL BOARD

Tom Dall,
Chair

David DeSantis,
Director of Education

Education Development Charge By-law Rates in the Province of Ontario (as of February, 2022)

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 ¹	% 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, 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, 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	\$0.25	\$0.27	\$0.28			
Conseil des écoles publiques de l'Est de l'Ontario	5 yrs	United Counties of Prescott and Russell	\$941	\$744	\$941	\$941	\$941	\$941	Singular Region	100%
				July 1, 2019	July 1, 2020	July 1, 2022	July 1, 2023			
Conseil des écoles publiques de l'Est de l'Ontario	5 yrs	Town of Gananoque, the Township of Leeds and The Thousand Islands, the Township of Rideau Lakes	\$333	\$300	\$333	\$333	\$333	\$333	A/S	100%
				May 31, 2021	May 31, 2022	May 31, 2023	May 31, 2025			
Conseil des écoles publiques de l'Est de l'Ontario	5 yrs	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, 2024	May 31, 2025			
Conseil des écoles publiques de l'Est de l'Ontario	5 yrs	Town of Greater Nipance, 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, 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			
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			
Durham Catholic DSB	5 yrs	Durham Region (excl. Charington)	\$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, 2023			
Durham DSB	5 yrs	Durham Region (excl. Charington)	\$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, 2023			
Greater Essex County DSB	5 yrs	City of Windsor	\$1,455	\$605	\$905	\$1,205	\$1,455	\$1,455	Singular Region	100%
				April 22, 2019	April 22, 2020	April 22, 2021	April 22, 2023			
Greater Essex County DSB	5 yrs	County of Essex and the Township of Pelee	\$682	\$605	\$682	\$682	\$682	\$682	Singular Region	100%
				April 22, 2019	April 22, 2020	April 22, 2021	April 22, 2023			

Education Development Charge By-law Rates in the Province of Ontario (as of February, 2022)										
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 ¹	% of Charge Attributed to Residential & Non-residential Development
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%
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%
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%
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%
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%
Niagara Catholic DSB	5 yrs	fmr Lincoln County	\$486	\$486	\$486	\$486	\$486	\$486	Region A/S	100%
			\$391	\$391	\$391	\$391	\$391	\$391		100%
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%
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%
Peel DSB	5 yrs	Peel Region	\$5,339	\$3,476	\$3,476	\$3,476	\$3,476	\$3,476	J/W	90%
			\$0.71	\$0.46	\$0.46	\$0.46	\$0.46	\$0.46		10%

Education Development Charge By-law Rates in the Province of Ontario (as of February, 2022)

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 ¹	% of Charge Attributed to Residential & Non-residential Development
Peterborough, Victoria, Northumberland & Clarington Catholic DSB	5 yrs	Clarington	\$0.60	\$1,010	\$1,202	\$1,202	\$1,202	\$1,202	A/S	90%
				\$0.26	\$0.36	\$0.46	\$0.36	\$0.60		10%
Simcoe Muskoka Catholic DSB	5 yrs	Simcoe County	\$0.40	\$7.48	\$1,048	\$1,348	\$1,472	\$1,472	Singular Region	90%
				\$0.13	\$0.13	\$0.14	\$0.15	\$0.15		10%
Simcoe County DSB	5 yrs	Simcoe County	\$3,578	\$1,611	\$1,911	\$2,211	\$2,511	\$2,811	J/W	90%
				\$0.37	\$0.39	\$0.41	\$0.43	\$0.45		10%
Toronto Catholic DSB	5 yrs	City of Toronto	\$7.86	\$1,793	\$2,093	\$2,393	\$2,693	\$2,993	J/W (with statutorily-exempt areas)	75%
				\$1.12	\$1.18	\$1.24	\$1.30	\$1.37		25%
Upper Grand DSB	5 yrs	Dufferin County	\$2,734	\$1,432	\$1,432	\$1,732	\$2,032	\$2,332	Singular Region	100%
				\$1.867	\$2,167	\$2,222	\$2,222	\$2,222		100%
Upper Grand DSB	5 yrs	Wellington County	\$1,049	\$953	\$1,049	\$1,049	\$1,049	\$1,049	J/W	80%
				\$0.42	\$0.43	\$0.43	\$0.43	\$0.43		20%
Waterloo Catholic DSB	5 yrs	Regional Municipality of Waterloo	\$2,748	\$2,248	\$2,548	\$2,748	\$2,748	\$2,748	J/W	80%
				\$1.66	\$1.61	\$1.66	\$1.66	\$1.66		20%
Waterloo Region DSB	5 yrs	Regional Municipality of Waterloo	\$619	\$617	\$619	\$619	\$619	\$619	J/W	100%
				\$1,291	\$1,463	\$1,463	\$1,463	\$1,463		90%
Wellington Catholic DSB	5 yrs	Wellington County	\$0.43	\$0.18	\$0.19	\$0.20	\$0.21	\$0.22	J/W	10%
				\$5,716	\$6,016	\$6,317	\$6,633	\$6,964		90%
York Catholic DSB	5 yrs	York Region	\$2.30	\$0.95	\$1.00	\$1.05	\$1.10	\$1.15	J/W	10%
				\$0.95	\$1.00	\$1.05	\$1.10	\$1.15		90%
York Region DSB	5 yrs	York Region	\$7,829	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	J/W	10%
				\$1,200	\$1,200	\$1,200	\$1,200	\$1,200		90%

¹ 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 the jurisdiction of the Board, having only one region.

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, for each of the years of the forecast period, the Board’s estimates of the total number of new school pupils and the number of existing pupil places that could reasonably be used to accommodate those new school pupils.
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 school 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.
5. The Board has provided any and all information requested by the Minister as part of the Minister’s review of the EDC proposal.

The ALCDSB is eligible to adopt EDC by-laws given that the jurisdiction-wide enrolment exceeds capacity on both the elementary and secondary panels, 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 (2022/2023 to 2026/2027), 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 both panels. As a result, the ALCDSB meets the legislative “trigger.

For the ALCDSB, the five year (2022/23 to 2026/27) average head count enrolment is 8,041 for the elementary panel and ADE average enrolment of 4,010 on the secondary panel. When these figures are compared to 7,782 permanent spaces in the Board's existing inventory of elementary facilities and 3,944 permanent spaces on the secondary panel, enrolment exceeds capacity on the elementary panel.

**Algonquin and Lakeshore Catholic DSB
Education Development Charges Submission 2022
Form A - Eligibility to Impose an EDC based on ALCDSB Total Jurisdiction**

A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL JK-8

Elementary Panel Board-Wide Capacity	Projected Elementary Panel Average Daily Enrolment Headcount						Elementary Average Projected Enrolment less Capacity
	Year 1 2022/ 2023	Year 2 2023/ 2024	Year 3 2024/ 2025	Year 4 2025/ 2026	Year 5 2026/ 2027	Average Projected Enrolment Over Five Years	
7,782	7,973	8,023	8,032	8,095	8,081	8,041	259

A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL Gr 9-12

Secondary Panel Board-Wide Capacity	Projected Secondary Panel Average Daily Enrolment (ADE)						Secondary Average Projected Enrolment less Capacity
	Year 1 2022/ 2023	Year 2 2023/ 2024	Year 3 2024/ 2025	Year 4 2025/ 2026	Year 5 2026/ 2027	Average Projected Enrolment Over Five Years	
3,944	3,805	3,914	4,040	4,120	4,169	4,010	66

A.2: EDC FINANCIAL OBLIGATIONS (Estimated to June 30 2022)

Adjusted Outstanding Principal:	\$2,965,675
Less Adjusted EDC Account Balance:	\$2,211,050
Total EDC Financial Obligations/Surplus:	-\$754,625

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 - 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 future holding pupils – Appendix A
5. the number of existing pupil places that, in the opinion of the board, could reasonably be used to accommodate the new school pupils – Appendix A
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 - 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 ALCDSB 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 May 31, 2022 will be considered for receipt by the Board, as part of the meeting on September 27, 2022, 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 ¹	MINISTRY SUBMISSION	STAKEHOLDER CONSULTATION PROCESS	BY-LAW ADOPTION & IMPLEMENTATION	MANAGING UNFUNDED NELC
<ul style="list-style-type: none"> A. Preliminary Consultation with Municipalities, Co-terminous Boards, Development Community re potential for Alternative Projects and LEEDAs 	<ul style="list-style-type: none"> A. Capacity Trigger Evaluation and Notify Ministry of Education if Board Intends to Exclude Capacity 	<ul style="list-style-type: none"> A. 15-year Estimate of Amount, Type and Location of Residential Development and Non-Residential GFA Projections (net of statutory exemptions) 	<ul style="list-style-type: none"> A. Completion of Ministry Forms (EDC Submission) 	<ul style="list-style-type: none"> A. Follow-up Consultation with Stakeholders re Basis for 'Calculated Change' and % Unfunded Costs 	<ul style="list-style-type: none"> A. Liaison with Area Municipal Representatives re By-law Interpretation, Implementation & Collection Issues 	<ul style="list-style-type: none"> A. Determine Unfunded Portion of NELC by school site
<ul style="list-style-type: none"> B. Prepare and approve internal Policy outlining the basis upon which Alternative Projects will be Evaluated 	<ul style="list-style-type: none"> B. EDC Account Analysis - determine sites proposed to be acquired & sites acquired, what has been fully or partially funded and would accommodate current (holding pupils) and future growth-related student accommodation 	<ul style="list-style-type: none"> B. Prepare 15-year student enrolment 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 	<ul style="list-style-type: none"> B. Complete Background Study and Forward to Ministry, Co-terminous Boards & Stakeholders who have provided notification (90 days in advance of 1st Public Meeting) 	<ul style="list-style-type: none"> B. Conduct Public Meeting (including Policy Review Public Meeting) including 'Legislative Cap' 	<ul style="list-style-type: none"> B. Board Consideration of Public Input and Calculation Revisions as necessary (may require additional Ministry Review /approval or request for additional data) 	<ul style="list-style-type: none"> B. Determine if there is ability for Project Substitution - Change in Accommodation Strategy and Impact on Unfunded NELC
<ul style="list-style-type: none"> C. Define Area Specific By-law Structure if LEEDA is contemplated 	<ul style="list-style-type: none"> C. EDC Financial Obligations Evaluation (including how Financial Obligations will be repaid) 	<ul style="list-style-type: none"> C. Review Area Analysis to Determine Schools Impacted by New Housing Development 	<ul style="list-style-type: none"> C. Preparation & Public Distribution of Policy Document 	<ul style="list-style-type: none"> C. Review of Public Submissions 	<ul style="list-style-type: none"> C. Additional Public Meeting at Discretion of Board 	
<ul style="list-style-type: none"> D. Review Status of Ministry Approval of Site Acquisitions 		<ul style="list-style-type: none"> D. Forecast of Net Growth-related Pupils and Determine # of Sites, Site Expansions and/or Site development Costs by Location 	<ul style="list-style-type: none"> D. Ministry of Education Review & Approval Process (90 days review period) 		<ul style="list-style-type: none"> D. By-law Adoption 	
		<ul style="list-style-type: none"> E. Estimate Growth-related Net Education Land Costs (net of any surplus EDC account funds) 			<ul style="list-style-type: none"> E. By-law Implementation 	
		<ul style="list-style-type: none"> F. Calculate NELC on a Cashflow basis and Determine Portion of NELC to be Funded from EDCs given Legislative 'Cap' 			<ul style="list-style-type: none"> F. Notice of By-law Passage & Appeal Date, Municipal Notification of By-law Passage and Implementation Considerations 	

1. NGRELC = Net Growth-related Education Land Costs

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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 calculation process. The first is the planning component, which is comprised primarily of the dwelling unit projections over a fifteen-year forecast period, along with: the associated 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-2022 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, historical building permit reports and growth forecasts for upper tier, lower tier and separated municipalities, including:
 - a. City of Kingston Final Development Charges Background Study, 2019; summary of 2015 -2021 building permit activity; extract of residential development activity within the DASH application; Population, Housing and Employment Growth Forecast, 2016 to 2046, City of Kingston, March, 2019; discussion with City staff re phasing of development
 - b. Frontenac County February 2020 Population, Employment and Housing forecasts
 - 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; and Development Charges Background Study, May 31, 2019
 - e. County of Lennox & Addington Official Plan February 13, 2018
 - f. Addington Highlands, Township and Township of Stone Mills: County of Lennox and 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; and annual building activity reports
 - i. City of Belleville Development Charges Background Study, October, 2021; May 2019 Municipal Comprehensive Review (residential Land Supply and Land Needs – Chapters 5 and 7); and monthly building permit reports

- j. Hastings County Demographic Forecasting and Land Demand Analysis – Final, July 15, 2013; The Municipality of Centre Hastings Development Charges Background Study October 7, 2020; the Hastings County Official Plan August 3, 2018
- k. City of Quinte West 2020 Development Charges Background Study, October, 2020
- l. County of Prince Edward 2017 Development Charges Study, December 1, 2017 and Area-Specific Development Charges Background Study for the Wellington Urban Service Area December 28, 2020
- m. Input from Township of South Algonquin municipal staff and review of historical changes in dwelling units by structural type
- n. County of Haliburton Target Growth and Development to 2036 – Table 1; and County of Haliburton Housing Strategy, April, 2013

A housing forecast by municipality, specifying dwelling unit type and location (where available) was undertaken in order to determine how many additional pupils would be generated by new housing development. A spatial matching of the Board’s 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.

The EDC 15-year housing forecast suggests that an additional 22,527 new occupied dwelling units will be added to the existing housing stock over the next fifteen years, at an average of 1,502 units per annum. Of the total additional dwelling units, approximately 60% are anticipated to be low density (single and semi-detached), 13% medium density (row houses, townhouses, etc.), 27% high density apartment units. The EDC housing forecast is net of demolitions and inclusive of conversions of seasonal dwelling units to permanent units. The total 15-year dwelling units net of statutory residential exemptions are expected to 21,175 ‘net’ new dwellings.

Step 2- The by-law structures are based on a regional, area-specific approach to the by-law structure. For example, the City of Kingston makes up only a portion of the legislatively-defined ‘region’ that is the Frontenac Management Board as structured in legislation in 1997, and the area south of Highway 7 is only a portion of what makes up Lennox and Addington County. The elementary and secondary review areas generally match the current attendance boundaries of ALCDSB 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 in classroom loading directed by 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 jurisdiction and over the next 15 years) were prepared by the consultants and reviewed with 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 ALCDSB 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*.

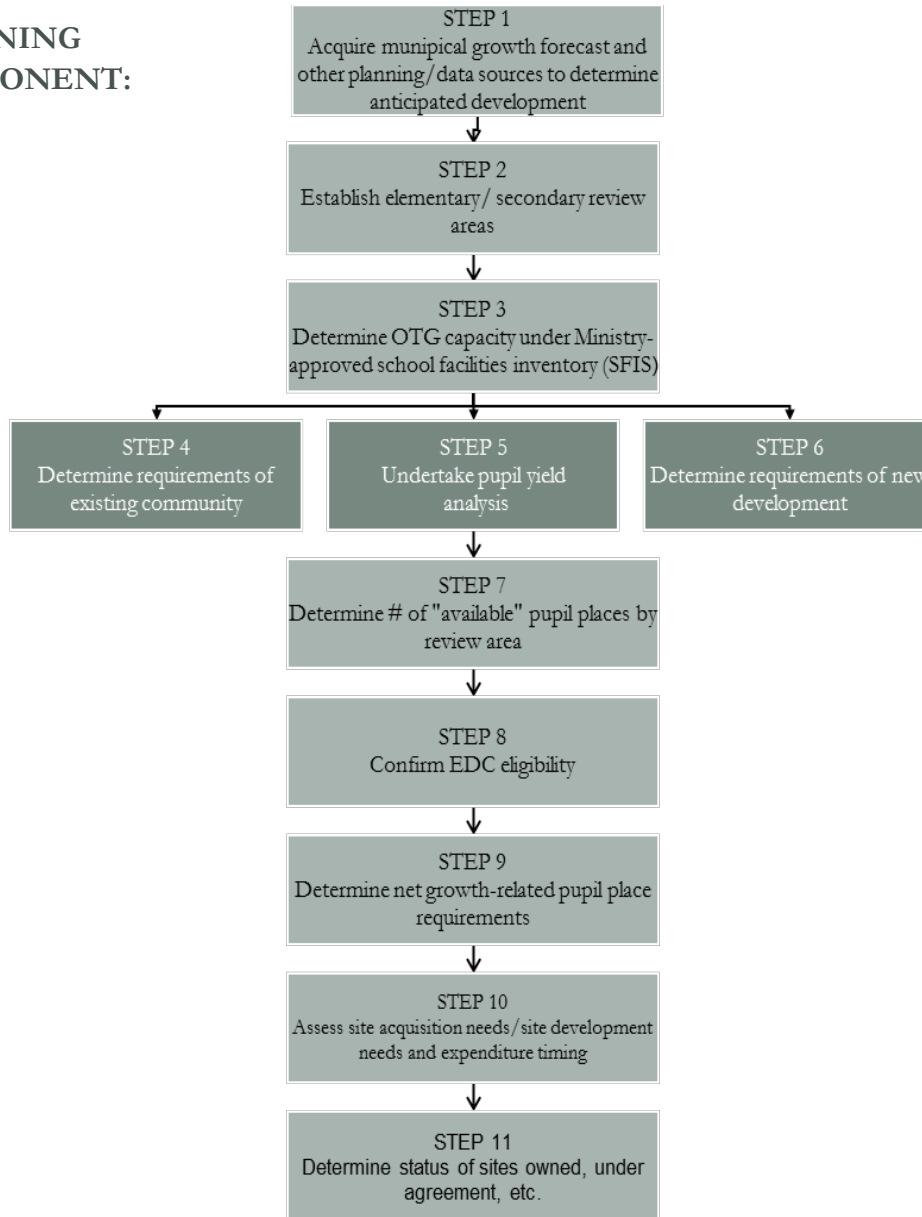
Step 3- Apply an appropriate indexation factor to site preparation/development costs to recognize increased labour and material costs over the 15-year forecast period. Apply an appropriate land escalation factor to site acquisition costs, over the term of the by-law (i.e. 5 years).

Step 4- 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.

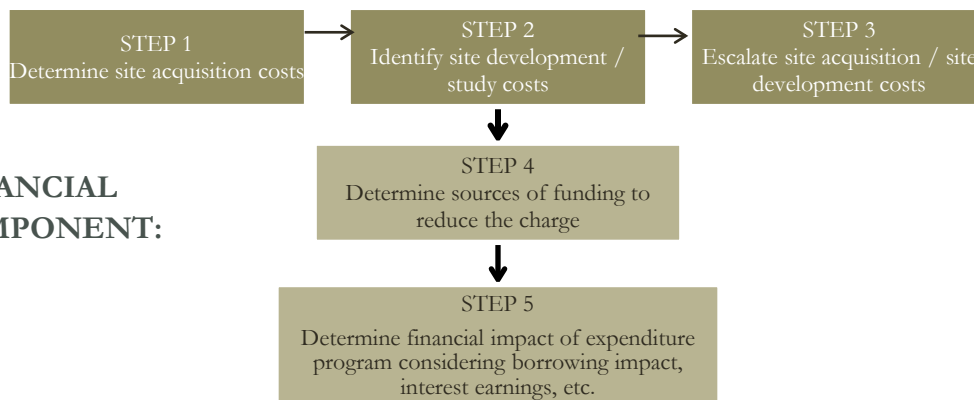
Step 5- Determine the quantum of the charge (both residential and non-residential if the Board intends to have a non-residential charge), considering borrowing impact and EDC account interest earnings by undertaking a cashflow analysis of the expenditure program over the 15-year forecast period. The cashflow analysis is consistent with a typical bank borrowing 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:**



¹ 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), and as approved by the Minister of Education

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 ALCDSB each of the Frontenac County and the City of Kingston; Lennox and Addington County; Hastings County; Quinte West, Prince Edward County; Highlands East portion of the County of Haliburton; and the South Algonquin portion of Nipissing District – geographic areas make up the jurisdiction of the Board (i.e comprising five (5) separate ‘regions’ under the legislation).

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 are 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, including the Review Areas that are consistent with the proposed by-law charging areas.

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 the Minister of Education agrees with the exclusion of the capacity. 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) 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.

4. The school board is required to ensure consistency with its short, and longer term, capital priorities. That is, does the board expect to alter school catchment areas or add portables rather than build additional pupil places?

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, if the Board intends to build additional pupil places to accommodate enrolment growth.

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, or from regular track programs to alternative programs like French Immersion;
2. Current Board-approved school attendance boundaries and distance between schools, and any proposed changes to school attendance boundaries
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.

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

Elementary and secondary overview maps are provided at the end of this chapter. The maps show how the entire jurisdiction of the Board is divided into Review Areas.

TABLE 3-1 ALCDSB EDC REVIEW AREAS

ELEMENTARY REVIEW AREAS
CE01 Kingston West
CE02 Kingston Central
CE02A Wolfe Island, Simcoe Island & Horseshoe Island
CE03 Kingston East
CE03A Southeast portion of South Frontenac
CE03B Howe Island
CE04 North, Central & South Frontenac County (generally north & west of Collins Lake, Inverary Lake, Lower Round Lake Rd., s side of Loughborough Lake & Fishing Lake Rd. to eastern boundary)
CE05 Lennox & Addington County & Amherst Island
CE06 Hastings County, South Algonquin & Highlands West
CE07 City of Belleville, Quinte West east of Aikens Rd. & Prince Edward County north of Christian Rd./Jericho Rd.
CE08 Quinte West (west of Aikens Rd.) & west side of Prince Edward County
CE09 South & East side of Prince Edward County and south of Christian Rd./Jericho Rd. (including Picton and Wellington)
SECONDARY REVIEW AREAS
CS01 Regiopolis & Holy Cross Boundaries
CS02 St. Theresa, Nicholson & St. Paul boundaries

Map 3-1: ALCDSB Jurisdiction-wide Elementary Review Areas



Algonquin & Lakeshore Catholic District School Board: Elementary Review Areas



Map 3-2: ALCDSB Jurisdiction-wide **Secondary** Review Areas



Algonquin & Lakeshore Catholic District School Board: Secondary Review Areas



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CHAPTER 4 - RESIDENTIAL and NON-RESIDENTIAL GROWTH FORECASTS

4.1 Background

This section of the report deals with the 15-year forecast of residential and non-residential development for the mid-2022 to mid-2037 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 the construction and subsequent occupancy of new homes and increased student enrolment. 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 for each community within the ALCDSB jurisdiction. In addition, the Board draws students from the southeast portion of Northumberland County, which is physically outside of the ALCDSB jurisdiction, but contributes to the need for student accommodation for the ALCDSB.

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.

For the purposes of determining if a school board has 15-year student accommodation needs in excess of available permanent capacity, the board is required to determine future residential growth on the basis of the entire jurisdiction of the board, not just the area to which EDCs are to be imposed. As such, this chapter outlines anticipated residential development throughout the jurisdiction of the ALCDSB.

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 the legislative jurisdiction of the Board, which is:

The area of jurisdiction of the Algonquin and Lakeshore Catholic District School Board consists of the geographic areas of the following upper-tier municipalities:

- *Hastings; and Lennox and Addington,*
- *the geographic area of the Frontenac Management Board, as set out in paragraph 3.3 (b) of an Order made under section 25.2 of the Municipal Act on January 7, 1997 and published in The Ontario Gazette dated February 15, 1997,*
- *the geographic areas of the following local municipalities: Belleville, County of Prince Edward, Highlands East, Kingston and South Algonquin, and*
- *the portions of the geographic area of the local municipality of Quinte West that on December 31, 1997 were included in the geographic area of the upper-tier municipality of Hastings or of the former City of Trenton.’ (O. Reg. 486/01)*

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 jurisdiction-wide 15-year housing forecast suggests that an additional 22,527 new occupied dwelling units will be added to the existing housing stock over the next fifteen years, at an average of just over 1,500 units per annum. Of the total additional dwelling units, approximately 60% are anticipated to be low density (single and semi-detached), 13% medium density (row houses, townhouses, etc.), 27% high density apartment units. Some notable areas of future potential residential development include: Kingston West; the Loyalist Secondary Plan, the Amherstview West Secondary Plan and extension of full services to support the Wellington Urban Centre Secondary Plan proposal in Prince Edward County. The EDC housing forecast is net of demolitions and inclusive of the conversion of seasonal dwelling units to permanent units, where applicable.

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:

“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))

“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 years, for a period chosen by a board of up to 15 years, immediately following the day the board intends to have the by-law come into force.”; (O. Reg 20/98), Section 7(1)

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

- (a) a rate per new dwelling unit and the rate shall be the same throughout the area in which charges are to be imposed under the by-law;
- (b) a rate applied shall be an amount that does not exceed the maximum rate determined by the Regulation and, when applied to the residential development forecast, does not exceed the percentage of growth-related net education land costs to be funded by charges against residential development (O. Reg. 20/98), Section 7(9)

“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 7(10)

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

Statutory Residential and Non-residential Exemptions:

An outline of the current provisions governing legislative exemptions that apply to particular categories of residential and non-residential development are set out in Appendix C of this report.

Residential Growth Forecast and Forms B and C

Table 4-1 found on the following page, due to size, summarizes the housing forecast by unit type for the mid-2022 to mid-2037 forecast period. Housing forecasts for each of the specific by-law charging areas can be found in Appendix ‘A’.

A Cit of Kingston map showing the location of proposed development is provided at the end of this chapter.

Non-residential Growth Forecast Form D

The following provides a summary of the 15-year projected non-residential development within the Board’s jurisdiction. Based on a review of historical building permit data, approximately 22.2% of the total non-residential development would be expected to be statutorily-exempt from the payment of education development charges, if the ALCDSB were to impose non-residential EDCs throughout the Board’s jurisdiction. Appendix ‘A’ provides a breakdown of the non-residential forecasts for each by-law area.

TABLE 4-2
Algonquin and Lakeshore Catholic DSB
Education Development Charges Submission 2022
Form D - Non-Residential Development - ALCDSB Total Jurisdiction

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

Total Estimated Non-Residential Board-Determined Gross Floor Area to be Constructed Over 15 Years From Date of By-Law Passage	9,469,891
Less: Board-Determined Gross Floor Area From Exempt Development (22.2%)	2,099,153
Net Estimated Board-Determined Gross Floor Area	7,370,738

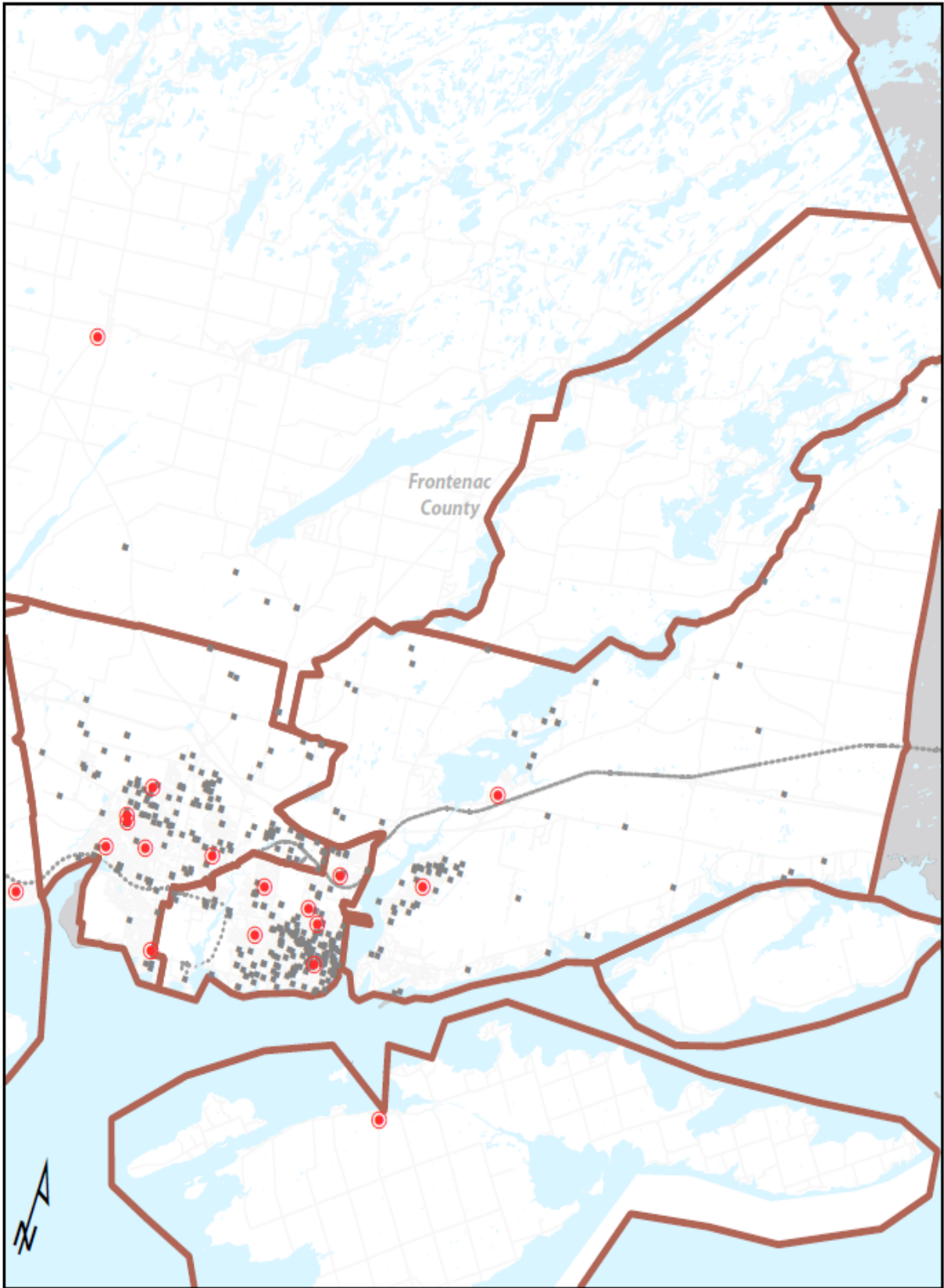
TABLE 4-1
Algonquin and Lakeshore Catholic DSB
Education Development Charges Submission 2022

PROJECTION OF NET NEW DWELLING UNITS ¹

	Year 1 2022/ 2023	Year 2 2023/ 2024	Year 3 2024/ 2025	Year 4 2025/ 2026	Year 5 2026/ 2027	Year 6 2027/ 2028	Year 7 2028/ 2029	Year 8 2029/ 2030	Year 9 2030/ 2031	Year 10 2031/ 2032	Year 11 2032/ 2033	Year 12 2033/ 2034	Year 13 2034/ 2035	Year 14 2035/ 2036	Year 15 2036/ 2037	Total All Units
ALCDSB Jurisdiction																
Singles and Semi-Detached	1,024	1,025	1,026	1,015	1,015	961	960	904	889	874	805	800	744	731	725	13,498
Townhouses, Row Housing, etc.	243	244	242	272	260	243	213	214	204	184	132	141	132	132	129	2,985
Apartments	474	402	411	540	426	415	440	387	356	330	296	416	560	303	288	6,044
Total	1,741	1,671	1,679	1,827	1,701	1,619	1,613	1,505	1,449	1,388	1,233	1,357	1,436	1,166	1,142	22,527
CE01 Kingston West																
Singles and Semi-Detached	230	219	201	181	117	53	125	110	114	126	126	126	77	67	67	1,939
Townhouses, Row Housing, etc.	87	83	77	87	41	-	12	28	56	37	19	24	17	21	1	590
Apartments	253	141	86	131	-	103	92	144	144	144	210	180	100	130	-	1,858
Total	570	443	364	399	158	156	229	282	314	307	355	330	194	218	68	4,387
CE02 Kingston Central																
Singles and Semi-Detached	4	9	16	17	12	12	17	16	12	-	-	-	-	-	-	115
Townhouses, Row Housing, etc.	43	47	48	38	49	72	64	23	39	45	27	22	29	25	45	616
Apartments	140	185	239	281	330	216	245	155	116	66	-	155	378	80	210	2,796
Total	187	241	303	336	391	300	326	194	167	111	27	177	407	105	255	3,527
CE02A Wolfe Island, Simcoe Island & Horseshoe Island																
Singles and Semi-Detached	11	11	10	10	9	9	9	9	8	8	8	8	8	9	9	136
Townhouses, Row Housing, etc.	1	1	1	2	1	1	1	1	1	1	2	1	1	1	1	17
Apartments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	12	12	11	12	10	10	10	10	9	9	10	9	9	10	10	153
CE03 Kingston East																
Singles and Semi-Detached	-	6	17	22	91	97	20	-	-	-	-	-	-	-	-	253
Townhouses, Row Housing, etc.	-	-	-	-	35	35	19	44	-	-	-	-	-	-	-	133
Apartments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	-	6	17	22	126	132	39	44	-	-	-	-	-	-	-	386
CE03A Southeast portion of South Frontenac																
Singles and Semi-Detached	77	77	78	78	78	77	77	78	67	67	67	67	67	67	63	1,085
Townhouses, Row Housing, etc.	1	1	-	1	1	1	2	2	1	1	2	1	1	1	1	17
Apartments	5	-	-	8	-	-	-	-	-	4	5	-	-	-	-	22
Total	83	78	78	87	79	78	79	80	68	72	74	68	68	68	64	1,124
CE03B Howe Island																
Singles and Semi-Detached	4	4	4	4	3	3	3	3	3	3	3	3	3	3	3	49
Townhouses, Row Housing, etc.	-	-	1	-	-	-	-	-	-	1	-	-	-	1	-	3
Apartments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	4	4	5	4	3	3	3	3	3	4	3	3	3	4	3	52
CE04 North, Central & South Frontenac County (generally north & west of Collins Lake, Inverary Lake, Lower Round Lake Rd., s side of Loughborough Lake & Fishing Lake Rd. to eastern boundary)																
Singles and Semi-Detached	32	32	32	32	34	34	34	34	32	30	30	30	28	28	24	466
Townhouses, Row Housing, etc.	-	-	2	2	1	1	-	-	2	3	1	1	-	-	1	14
Apartments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	32	32	34	34	35	35	34	34	34	33	31	31	28	28	25	480
CE05 Lennox & Addington County & Amherst Island																
Singles and Semi-Detached	152	154	154	154	151	153	153	155	153	145	145	143	140	139	139	2,230
Townhouses, Row Housing, etc.	40	40	40	40	40	40	40	40	40	36	36	36	36	36	36	576
Apartments	9	9	9	9	9	9	10	10	9	8	8	8	8	9	9	133
Total	201	203	203	203	200	202	203	205	202	189	189	187	184	184	184	2,939
CE06 Hastings County, South Algonquin & Highlands West																
Singles and Semi-Detached	82	82	83	85	86	87	87	87	87	89	89	89	87	87	90	1,297
Townhouses, Row Housing, etc.	3	3	3	4	3	3	3	3	4	4	2	3	4	4	3	49
Apartments	-	-	-	25	-	-	20	-	-	27	-	5	10	5	20	112
Total	85	85	86	114	89	90	110	90	91	120	91	97	101	96	113	1,458
CE07 City of Belleville, Quinte West east of Aikens Rd. & Prince Edward County north of Christian Rd./Jericho Rd.																
Singles and Semi-Detached	118	118	118	118	119	120	120	120	120	120	52	50	50	47	47	1,437
Townhouses, Row Housing, etc.	36	36	37	46	37	37	36	42	32	31	18	29	18	20	18	473
Apartments	36	36	36	45	48	48	45	40	45	44	25	21	15	28	12	524
Total	190	190	191	209	204	205	201	202	197	195	95	100	83	95	77	2,434
CE08 Quinte West (west of Aikens Rd.) & west side of Prince Edward County																
Singles and Semi-Detached	184	183	183	183	183	183	183	185	186	179	178	179	179	178	178	2,724
Townhouses, Row Housing, etc.	19	20	20	39	38	38	21	21	20	16	16	16	18	15	15	332
Apartments	31	31	31	31	29	29	28	28	28	37	37	37	37	37	37	488
Total	234	234	234	253	250	250	232	234	234	232	231	232	234	230	230	3,544
CE09 South & East side of Prince Edward County and south of Christian Rd./Jericho Rd. (including Picton and Wellington)																
Singles and Semi-Detached	130	130	130	131	132	133	132	107	107	107	107	105	105	106	105	1,767
Townhouses, Row Housing, etc.	13	13	13	13	14	15	15	10	9	9	8	8	8	8	8	165
Apartments	-	-	10	10	10	10	-	10	14	-	11	10	12	14	-	111
Total	143	143	153	154	156	158	147	127	130	116	127	123	125	128	113	2,043

Notes: 1. Assumed to be net of demolitions and conversions. Includes conversion of seasonal dwelling units.

Grand Total Gross New Units in By-Law Area	22,527
Less: Statutorily Exempt Units in By-Law Area	1,352
Total Net New Units in By-Law Area	21,175



Algonquin & Lakeshore Catholic District School Board: Elementary Review Areas (Kingston Development)



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CHAPTER 5 - DEMOGRAPHIC TRENDS, FUTURE ENROLMENT EXPECTATIONS and AVAILABLE CAPACITY

5.1 Demographic and Enrolment Trends

In accordance with the legislation, the ALCDSB is responsible for providing education services in Frontenac County including the City of Kingston; Lennox and Addington County; Hastings County including the municipalities of Belleville and Quinte West; and Prince Edward County, along with the local municipality of South Algonquin the District of Nipissing and the municipality of Highlands East in Haliburton.

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 ALCDSB student data with MPAC housing data (i.e. by period of occupancy and density type), in order to derive the number of ALCDSB pupils to be generated by the construction and subsequent occupancy of new housing development and to determine appropriate by school, by grade enrolments over the 2022/23 through 2036/37 school years.

The key elements of historical trends (both demographic and enrolment) are examined below. Demographic trends are made of three components: births, deaths and migration (specifically net migration being made up of both in-migration and out-migration). As such, *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 geographic 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 increased 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 25 to 39 (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 was asked during the May 2021 Census undertaking (although this data will not be available until September, 2022).

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.

In the second instance, *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? Or the number of students retained between Grade 8 and Grade 9?

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?

5.1.1 Population and Housing

Statistics Canada population and dwelling unit data related to the 2011, 2016 and 2021 Census undertakings is provided in Table 5-1. It is noted that the May 2021 Census undertaking occurred during the pandemic and may not fully reflect all the increased mobility of family units due to increased work-at-home opportunities. This information is one of the sources of the school and pre-school age population trends discussed herein as they relate to the ALCDSB’s jurisdiction.

Table 5-1 compares the pre-school and school age population between 2011-2021 Census periods, illustrating the changing trends which will impact future enrolment growth for the Board in Table 5-2.

Within the ALCDSB jurisdiction the pre-school age population (ages 0-3) decreased by 875 persons between 2011 and 2021. The elementary school age population (ages 4-13) increased by 2,855 persons, and the secondary school age population (ages 14-17) decreased by 3,110 persons. However, it is noted that the decline in overall school-age population may include areas of student enrolment growth.

The number of children under the age of 1 year (births) has declined by 365 persons, while the number of females of prime fertility age (25 to 39 years) increased by 6,640 persons.

Table 5-1

Census Data	2011	2011	2011	2011	2011	2016	2016	2016	2016	2016	2021	2021	2021	2021	2021
	<1	0-3	4-13	14-17	Females 25-39 yrs	<1	0-3	4-13	14-17	Females 25-39 yrs	<1	0-3	4-13	14-17	Females 25-39 yrs
Kingston, City	1,255	4,970	11,865	5,670	11,900	1,150	4,655	12,210	5,030	12,370	1,090	4,610	12,830	5,150	13,855
remainder Frontenac County	190	885	2,855	1,410	1,835	215	915	2,710	1,190	1,775	200	890	2,825	1,195	1,975
total Frontenac County	1,445	5,855	14,720	7,080	13,735	1,365	5,570	14,920	6,220	14,145	1,290	5,500	15,655	6,345	15,830
Lennox and Addington County	375	1,540	4,420	2,090	3,325	405	1,555	4,435	1,835	3,300	400	1,575	4,545	1,875	3,670
Hastings County	1,315	5,510	14,085	6,900	10,900	1,370	5,370	14,370	5,895	11,150	1,230	5,295	15,065	5,870	12,210
Prince Edward County	170	720	2,105	1,175	1,020	190	690	1,960	865	1,480	180	745	2,025	795	1,755
South Algonquin, Nipissing	15	35	85	40	65	10	20	60	30	50	5	25	40	25	55
Highlands East, Haliburton	15	70	225	120	150	15	75	195	95	155	20	70	230	120	220
TOTALS	4,780	19,585	50,360	24,485	42,930	4,720	18,850	50,860	21,160	44,425	4,415	18,710	53,215	21,375	49,570

Table 5-2

Census Data	2011 to 2021 Change				Females 25-39 yrs
	<1	0-3	4-13	14-17	
Kingston, City	-165	-360	965	-520	1,955
remainder Frontenac County	10	5	-30	-215	140
total Frontenac County	-155	-355	935	-735	2,095
Lennox and Addington County	25	35	125	-215	345
Hastings County	-85	-215	980	-1,030	1,310
Prince Edward County	10	25	-80	-380	735
South Algonquin, Nipissing	-10	-10	-45	-15	-10
Highlands East, Haliburton	5	0	5	0	70
TOTALS	-365	-875	2,855	-3,110	6,640

Within the ALCDSB jurisdiction, the City of Kingston and Hastings County have accounted for 31.4% of the increase in the number of females between the age of 25 and 39, and during the 2011 to 2021 period. However, they also account for 68.5% of the decline in births during the same period. Table 5-3 below disaggregates the female population aged 25 to 39 years to determine if an increase in females is as a result of increased enrolment in secondary institutions. However, the greater increase occurs in the group of females aged 30 to 39 years as shown below:

Table 5-3

**City of Kingston Census Data
of Females Aged 25 to 39 years**

2011	2016	2021	2011 to 2021 Change
25 - 29 years	25 - 29 years	25 - 29 years	
4,570	4,560	5,050	480
30 - 34 years	30 - 34 years	30 - 34 years	
3,850	4,110	4,620	770
35 - 39 years	35 - 39 years	35 - 39 years	
3,475	3,700	4,185	710

According to historical enrolment information provided by the Board, total elementary enrolment has not varied by more than 147 pupils since the 2017/18 academic year. Further, the retention rates, which illustrate the Board’s ability to retain enrolled students as they move from one grade to another, has increased since 2017/18 (i.e. comparing the retention rate by any elementary grade over the last four (4) years versus the last year). With respect to the secondary panel, the Board has experienced an increase in the number of pupils enrolled, 116 additional pupils since 2017/18, as the larger senior elementary cohorts move through the secondary system. A summary of the historical retention rates and enrolments is shown in Table 5-4.

During the 2017 to 2021 period, French Immersion (FI) elementary enrolment declined by 93 pupils, while the total students enrolled in the secondary FI program increased by 31 pupils.

Table 5-4 Historical ALCDSB Enrolment

Retention Rates (Yrs)			Grade	2017/18	2018/19	2019/20	2020/21	2021/22
4	3	1	JK	727	743	768	693	734
1.042	1.047	1.074	SK	832	748	774	789	744
1.010	1.019	1.046	1	792	819	757	774	825
1.010	1.015	1.022	2	852	786	838	757	791
1.010	1.013	1.021	3	839	853	794	844	773
1.004	1.006	1.017	4	856	838	855	792	858
0.986	1.000	1.001	5	895	810	848	843	793
0.983	0.990	1.001	6	820	863	813	818	844
0.931	0.937	0.950	7	658	748	804	757	777
1.037	1.014	1.025	8	699	737	764	801	776
			Totals	7,970	7,945	8,015	7,868	7,915
1.138	1.125	1.077	9	N/A	825	867	860	863
	1.008	1.031	10		800	829	856	887
	1.002	1.014	11		845	803	818	868
	1.210	1.204	12		1,009	1,055	944	985
			Totals		3,487	3,479	3,554	3,478

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 ALCDSB as they pertain to the jurisdiction of the Board proposed by-law charging area. The enrolments applicable to the proposed by-law charging area are shown on Form E of Appendix A.

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 enrolled 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), by school and by program.
2. Historic average daily enrolment by school and by grade. This information is provided by the Board. 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 ALCDSB 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.

The New Unit Pupil Yield Cycle

Figure 3 below 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.);
- There are particular types of units that generate additional pupils but may be exempted from the payment of EDCs (e.g. secondary dwelling units).

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 and occupancy patterns of the immigrant population can have a compelling impact on pupil yields.

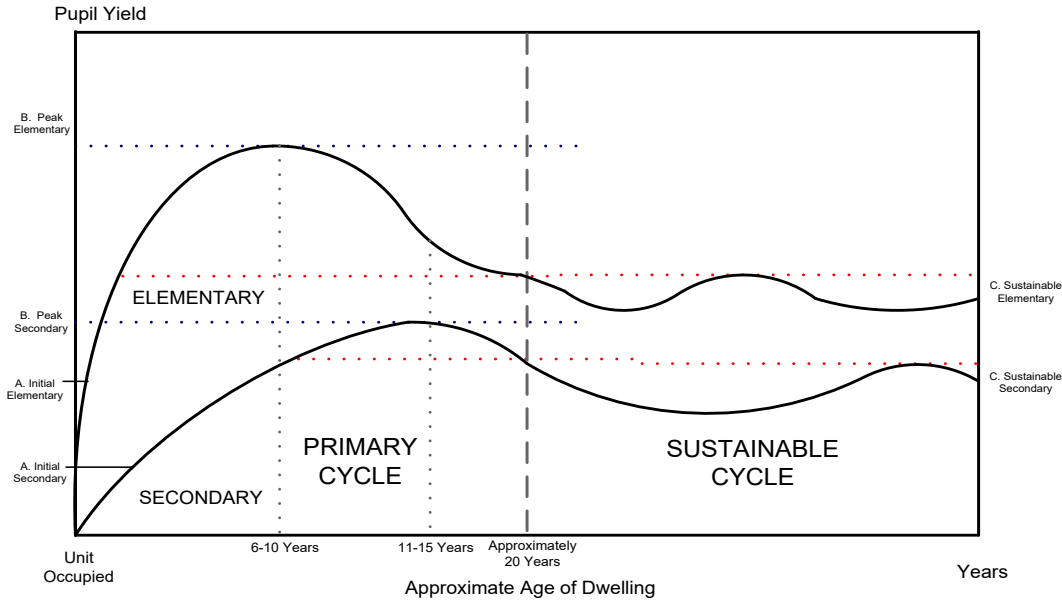
“Peak” yields may remain relatively constant over several years, particularly in periods of sustained economic growth. Eventually, however, the elementary yield would gradually decline until it reaches the end of the initial yield cycle and moves to the first stage of the sustainable yield cycle. The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

Figure 3
Conceptual Representation of the Pupil Yield Cycle
for A New Single Detached Dwelling



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 with Board staff. The enrolments are adjusted, where necessary, before they are used to determine any future growth-related land needs.

5.2.2 Summary of Board Enrolment Projections

Summaries of the total 15-year EDC enrolment, for the ALCDSB, are provided in Table 5-5 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 8, 337 students for an increase of 422 students from the projected 2021/22 enrolment of 7,915. The Board is expected to experience a decrease of about 1,044 students in the existing community, which is projected to be enhanced by an additional 1,466 pupils from new housing development, which is an overall pupil yield of 0.0651. This information reflects JK-8 enrolments.

For the Grade 9-12 programs, the ALCDSB EDC projections forecast a decrease of 77 students in the existing community and 632 additional students to come from new development over the next 15 years. This results in total projected year 15 enrolment of 4,158 students, or an increase of about 555 students from the projected 2021/22 enrolment.

Table 5-5
Algonquin and Lakeshore Catholic DSB
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
	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	2036/ 2037
Elementary Panel JK-8																
Existing	7,915	7,852	7,783	7,675	7,623	7,504	7,473	7,423	7,326	7,280	7,218	7,151	7,077	7,002	6,930	6,871
Requirement of New Development		121	240	357	472	577	692	816	934	1,050	1,166	1,232	1,298	1,354	1,408	1,466
Total	7,915	7,973	8,023	8,032	8,095	8,081	8,165	8,239	8,259	8,330	8,384	8,383	8,375	8,356	8,338	8,337

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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
	2021/ 2022	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	2036/ 2037	
Secondary Panel Gr 9-12																
Existing	3,603	3,760	3,823	3,904	3,940	3,947	3,879	3,782	3,820	3,661	3,648	3,623	3,543	3,554	3,558	3,526
Requirement of New Development		46	91	136	180	222	266	311	354	397	438	479	520	558	595	632
Total	3,603	3,805	3,914	4,040	4,120	4,169	4,146	4,094	4,174	4,058	4,087	4,102	4,063	4,112	4,153	4,158

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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.

Recent changes to the legislation incorporate the following as eligible net education land costs:

A. Alternative Projects (a lower cost alternative to site acquisition)

Section 257.53.1 of the *Education Act* provides an opportunity for a school board to seek Ministry approval to allocate EDC revenue towards an alternative project. An alternative project must have an associated cost that is less than the cost to acquire a site, and is expected to lower EDC rates.

Examples of alternative projects include:

- Alternative parking arrangements such as underground parking garages or offsite parking;
- Additional construction costs attributed to vertical construction;
- Purpose built space within a larger development;
- Alternative play area enhancements; and
- Pedestrian access improvements.

If, as part of solidifying the elements of the alternative project, a change to the alternative project is proposed, the board must notify the Minister and seek renewed approval within the timelines prescribed in section 8 of O. Reg. 20/98.

Typically, alternative projects would be considered as a cost-effective site acquisition solution where land costs are prohibitive due to the residential density proposed (i.e. intensified land uses).

B. Localized Education Development Agreements (LEDAs)

A Localized Education Development Agreement (LEDA) is a Minister-approved alternative to the traditional EDC revenue supported purchase of land for pupil accommodation. This provides more flexibility to EDC eligible school boards where a developer may provide school sites.

A LEDA is an agreement between a school board and an owner, such as a developer, in which the owner provides a means for pupil accommodation or other benefit to be used to provide pupil accommodation. In exchange, the geographical area that the LEDA will service will be exempt from the collection of EDCs.

School boards are expected to consult with co-terminus boards when developing a LEDA to determine if a joint project is feasible.

There is no basis for the ALCDSB to consider either Alternative Projects or LEDAs given that the growth-related net education land costs determined in this report relate only to the site development costs associated with existing owned school sites.

Finally, 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 **maximum** 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, for example, 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. More recent design standards associated with efficient land uses may require smaller school sites, due to higher land values. 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, or community uses. 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 greenfields 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. EDCs may only pay a portion of the site acquisition and site development costs where intensified land uses are to be considered.

The proposed ALCDSB EDC by-law for the portion of Lennox and Addington County contemplates expansion of the existing Our Lady of Mount Carmel school site, which is undersized given the size of the new school to be built on the site. The City of Kingston by-law incorporates only site preparation costs.

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 of existing school sites, site preparation costs may include soils remediation, demolition of existing buildings on the site, servicing infrastructure that requires replacement due to age and increased student capacity (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 un-serviced 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

When the ALCDSB submitted a request for Ministry approval to award a tender for the design/construction of the new Kingston West elementary school, the Board anticipated that the costs to prepare the school site so that a school could be built on the land, would be \$551,854 per acre (\$2,759,268/5 acres), due to extensive grading of the site. Site preparation costs at Our Lady of Mount Carmel and J J O’Neil are included at \$387,300 per acre, which is consistent with a co-terminous board’s experience where there are no unusual costs were incurred. Additional land at Our Lady of Mount Carmel is priced at \$670,000 per acre based on current real estate listings in the area.

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.

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CHAPTER 7 - EDUCATION DEVELOPMENT CHARGE CALCULATION

7.1 Proposed City of Kingston by-law

The basis for the calculation of education development charges for the Algonquin and Lakeshore Catholic DSB is documented in the Board's Education Development Charges Submission to the Ministry of Education and found in Appendix A.

7.1.1 Growth Forecast Assumptions – City of Kingston

The net education land costs and EDC calculations for the Board were based on the following forecast of new dwelling units for the mid-2022 to mid-2037 period. The adjustment from gross units to net units is based on an analysis of projected building permits that would be subject to the imposition of EDCs versus the actual collections since 2014:

RESIDENTIAL:

Gross New Units	8,300
Net New Units	7,636
Average units per annum	509

7.1.2 EDC Pupil Yields – City of Kingston

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 ALCDSB based on a spatial matching of ALCDSB student data and Municipal Property Assessment Corporation (MPAC) housing data.

Table 7-1

ALCDSB EDC 2022 Weighted Blended Pupil Yields

Elementary Review Areas	SINGLE and SEMI-DETACHED	MEDIUM DENSITY	APARTMENTS (includes purpose-built seniors housing and student housing)	TOTAL UNITS
CE01 Kingston West	0.1752	0.0880	0.0095	0.0933
CE02 Kingston Central	0.1074	0.0863	0.0076	0.0246
CE03 Kingston East	0.1066	0.0880	0.0000	0.1002
TOTAL	0.1643	0.0874	0.0084	0.0645

Secondary Review Area	SINGLE and SEMI-DETACHED	MEDIUM DENSITY	APARTMENTS (includes purpose-built seniors housing and student housing)	TOTAL UNITS
CS01 Regiopolis & Holy Cross Boundaries	0.0409	0.0342	0.0031	0.0259
TOTAL	0.0409	0.0342	0.0031	0.0259

7.2 Proposed Lennox and Addington County by-law

The basis for the calculation of education development charges for the Algonquin and Lakeshore Catholic DSB is documented in the Board’s Education Development Charges Submission to the Ministry of Education and found in Appendix A. The following information reflects only the proposed Lennox and Addington County by-law charging area (i.e. the lands south of Highway 7), rather than the entire ALCDSB jurisdiction.

7.2.1 Growth Forecast Assumptions – Lennox and Addington County

The net education land costs and EDC calculations for the Board were based on the following forecast of new dwelling units for the mid-2022 to mid-2037 period. The adjustment from gross units to net units is based on an analysis of projected building permits that would be subject to the imposition of EDCs versus the actual collections since 2014:

RESIDENTIAL:

Gross New Units	2,939
Net New Units	2,922
Average units per annum	195

7.2.2 EDC Pupil Yields – Lennox and Addington County

Table 7-2 sets out the EDC pupil yields utilized to determine the number of elementary pupils generated from new development and the yields attributable to the ALCDSB based on a spatial matching of ALCDSB student data and Municipal Property Assessment Corporation (MPAC) housing data.

Table 7-2 Lennox and Addington County

ALCDSB EDC 2022 Weighted Blended Pupil Yields

Elementary Review Areas	SINGLE and SEMI-DETACHED	MEDIUM DENSITY	APARTMENTS (includes purpose-built seniors housing and student housing)	TOTAL UNITS
CE05 Lennox & Addington County & Amherst Island	0.0918	0.0880	0.0140	0.0875
TOTAL	0.0918	0.0880	0.0140	0.0875

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.

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 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 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 ALCDSB’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 4-12 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.

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

The total net education land costs for the ALCDSB 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:

- \$4,587,141 to be recovered from 7,636 “net” new units, or an average EDC rate of \$601 per dwelling unit within the City of Kingston. The entirety of the current EDC account deficit is

included in the \$4,587,141 in net education land costs for the City of Kingston as this is the area to which the previous EDC by-law applied.

- \$ 2,032,568 to be recovered from 2,922 “net” new units, or an average EDC rate of \$696 per dwelling unit within the area of Lennox and Addington County that is south of Highway 7.

The number of pupils generated by new housing development varies within each by-law area and for this reason it is more equitable to determine applicable EDC rates in each separate by-law area based on the proportionate share of the growth-related costs generated by new housing development. The proposed City of Kingston by-law comprises 69% of the growth-related net education land costs, while the remaining 31% is attributable to Lennox and Addington County south of Hwy 7.

As such, the proposed EDC rates for each proposed by-law area would be as follows:

Table 7-3

ALCDSB Proposed EDC Rates within the City of Kingston

	Calculated EDC Rate	Year 1	Year 2	Year 3	Year 4	Year 5
		In-force Date Oct 3, 2022 to Oct 2, 2023	In-force Date Oct 3, 2023 to Oct 2, 2024	In-force Date Oct 3, 2024 to Oct 2, 2025	In-force Date Oct 3, 2025 to Oct 2, 2026	In-force Date Oct 3, 2026 to Oct 2, 2027
Residential EDC Rate per dwelling unit	\$ 601	\$ 554	\$ 601	\$ 601	\$ 601	\$ 601

ALCDSB Proposed EDC Rates within Lennox and Addington County south of Highway 7

	Calculated EDC Rate	Year 1	Year 2	Year 3	Year 4	Year 5
		In-force Date Oct 3, 2022 to Oct 2, 2023	In-force Date Oct 3, 2023 to Oct 2, 2024	In-force Date Oct 3, 2024 to Oct 2, 2025	In-force Date Oct 3, 2025 to Oct 2, 2026	In-force Date Oct 3, 2026 to Oct 2, 2027
Residential EDC Rate per dwelling unit	\$ 696	\$ 300	\$ 600	\$ 696	\$ 696	\$ 696

7.6 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).

7.7 EDC Accounts

Section 7(5) of O. Reg. 20/98 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.”

The ALCDB has collected more than \$2.2 million since the original EDC by-law inception in October 28, 2002, and within the City of Kingston, as shown below:

TABLE 7-4
Algonquin and Lakeshore Catholic DSB
EDC ACCOUNT RECONCILIATION - EDC Collections

October 28, 2002 to October 2, 2022 Continuity Statement to Determine Current EDC Account Balance
(Collections are net of refunds and interest expense and include accrued interest)

Date	Cumulative EDC Collections
<i>EDC Collections October 28, 2002 to August 31, 2003</i>	\$61,903.00
<i>EDC Collections September 1, 2003 to August 31, 2004</i>	\$197,818.00
<i>EDC Collections September 1, 2004 to August 31, 2005</i>	\$281,093.00
<i>EDC Collections September 1, 2005 to August 31, 2006</i>	\$374,822.00
<i>EDC Collections September 1, 2006 to August 31, 2007</i>	\$492,272.00
<i>EDC Collections September 1, 2007 to August 31, 2008</i>	\$619,972.00
<i>EDC Collections September 1, 2008 to August 31, 2009</i>	\$754,849.00
<i>EDC Collections September 1, 2009 to August 31, 2010</i>	\$872,691.00
<i>EDC Collections September 1, 2010 to August 31, 2011</i>	\$1,011,511.00
<i>EDC Collections September 1, 2011 to August 31, 2012</i>	\$749,090.00
<i>EDC Collections September 1, 2012 to August 31, 2013</i>	\$838,938.00
<i>EDC Collections September 1, 2013 to August 31, 2014</i>	\$897,485.00
<i>EDC Collections September 1, 2014 to August 31, 2015</i>	\$993,544.00
<i>EDC Collections September 1, 2015 to August 31, 2016</i>	\$1,032,297.00
<i>EDC Collections September 1, 2016 to August 31, 2017</i>	\$1,133,054.00
<i>EDC Collections September 1, 2017 to August 31, 2018</i>	\$1,327,771.00
<i>EDC Collections September 1, 2018 to August 31, 2019</i>	\$1,575,046.00
<i>EDC Collections September 1, 2019 to August 31, 2020</i>	\$1,790,693.00
<i>EDC Collections September 1, 2020 to August 31, 2021</i>	\$2,083,583.00
<i>EDC Collections September 1, 2021 to March 30, 2022</i>	\$2,091,050.00
Plus:	
Projected EDC Collections April 1, 2022 - October 2, 2022	\$2,211,050.00
Total Net EDC Funds October 28, 2002 to October 2, 2022	\$2,211,050.00
Projected EDC Account Balance as of October 2, 2022	\$ (754,625)

A summary of EDC-eligible expenditures by by-law period are shown below:

TABLE 7-5
Algonquin and Lakeshore Catholic DSB
EDC ACCOUNT RECONCILIATION - EDC Expenditures

		Property Size (acres)	Review Area Reference	EDC Expenditures	Unfunded Financial Obligations Cumulative
By-law #1 October 28, 2002 to October 27, 2007	<i>EDC Expenditures September 1, 2002 to August 31, 2007</i>				
	2002-2007 EDC Study Costs and Legal Fees	N/A		\$ 109,995	\$ -
				\$ -	\$ -
By-law #2 October 28, 2007 to October 27, 2012	<i>EDC Expenditures September 1, 2007 to August 31, 2012</i>				
	2007-2012 EDC Study Costs and Legal Fees	N/A	-	\$ 152,401	\$ -
				\$ -	\$ -
By-law #3 October 28, 2012 to October 27, 2017	<i>EDC Expenditures September 1, 2012 to August 31, 2017</i>				
	2012-2017 EDC Study Costs and Legal Fees	N/A		\$ -	\$ -
				\$ -	\$ -
By-law #4 October 28, 2017 to October 27, 2022	<i>EDC Expenditures September 1, 2017 to August 31, 2022</i>				
	2017-2022 EDC Study Costs and Legal Fees	N/A		\$ 129,928	\$ -
	Kingston West site acquisition	5.58	CE01	\$ 2,573,352	\$ (754,625)
	Total Expenditures October 28, 2002 to March 30, 2022			\$ 2,965,675	\$ -

City of Kingston EDC collections (including an additional \$120,000 in projected collections for the April, 2022 through October 3, 2022 period) less expenditures, determines an account deficit of \$754,625.

7.8 Cash Flow Analysis and Forms H1 and H2

Table 7-6 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 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 2.3% in the years in which the EDC account balance is expected to be positive;

Scenario Comments:	
Algonquin and Lakeshore Catholic DSB	
BOTH PANELS	

TABLE 7-6
Algonquin and Lakeshore Catholic DSB
Cashflow Analysis for Both Panels
Current (2022) \$

Cashflow Assumptions	
A. EDC Account interest earnings (per annum)	2.30%
B. Internal Borrowing Rates	3.2 - 4.5%

ALCDSB Proposed EDC Rates 2022 City of Kingston		
Non-Residential Share	Residential Rate	Non-Residential Rate
0%	\$601	\$0.00
5%	\$571	\$0.08
10%	\$541	\$0.16
15%	\$511	\$0.24
20%	\$481	\$0.32
25%	\$451	\$0.40
40%	\$360	\$0.64

ALCDSB Proposed EDC Rates 2022 County of Lennox and Addington south of Hwy 7		
Non-Residential Share	Residential Rate	Non-Residential Rate
0%	\$696	\$0.00
5%	\$661	\$0.08
10%	\$626	\$0.16
15%	\$591	\$0.24
20%	\$557	\$0.32
25%	\$522	\$0.40
40%	\$417	\$0.64

	Year 1 2022/ 2023	Year 2 2023/ 2024	Year 3 2024/ 2025	Year 4 2025/ 2026	Year 5 2026/ 2027	Year 6 2027/ 2028	Year 7 2028/ 2029	Year 8 2029/ 2030	Year 9 2030/ 2031	Year 10 2031/ 2032	Year 11 2032/ 2033	Year 12 2033/ 2034	Year 13 2034/ 2035	Year 14 2035/ 2036	Year 15 2036/ 2037
Revenues															
1 Estimated EDC Revenue (Residential) Per Unit \$ 627	\$ 561,974	\$ 524,580	\$ 521,119	\$ 563,228	\$ 514,046	\$ 465,115	\$ 469,203	\$ 427,771	\$ 403,393	\$ 358,901	\$ 338,135	\$ 408,986	\$ 461,328	\$ 300,966	\$ 300,966
2 Estimated EDC Revenue (Non-Residential) Per Sq.Ft \$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3 Total Revenue	\$ 561,974	\$ 524,580	\$ 521,119	\$ 563,228	\$ 514,046	\$ 465,115	\$ 469,203	\$ 427,771	\$ 403,393	\$ 358,901	\$ 338,135	\$ 408,986	\$ 461,328	\$ 300,966	\$ 300,966
Expenditures															
4 Site acquisition costs	\$ -	\$ -	\$ -	\$ 775,609	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5 Site preparation costs ¹	\$ -	\$ -	\$ -	\$ 2,971,430	\$ -	\$ 876,388	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6 Study Costs	\$ 128,100	\$ -	\$ -	\$ -	\$ -	\$ 128,100	\$ -	\$ -	\$ -	\$ -	\$ 128,100	\$ -	\$ -	\$ -	\$ 128,100
7 Subtotal Projected Expenditures	\$ 128,100	\$ -	\$ -	\$ 3,747,039	\$ -	\$ 1,004,488	\$ -	\$ -	\$ -	\$ -	\$ 128,100	\$ -	\$ -	\$ -	\$ 128,100
8 Internal Borrowing Costs - Accrued Interest		\$ 11,226	\$ -	\$ -	\$ 96,741	\$ 86,353	\$ 112,947	\$ 97,806	\$ 83,782	\$ 70,199	\$ 61,336	\$ 54,645	\$ 38,700	\$ 19,681	\$ 7,024
9 Total Expenditures	\$ 128,100	\$ 11,226	\$ 0	\$ 3,747,039	\$ 96,741	\$ 1,090,841	\$ 112,947	\$ 97,806	\$ 83,782	\$ 70,199	\$ 189,436	\$ 54,645	\$ 38,700	\$ 19,681	\$ 135,124
10 Net Revenues/(Expenditures)	\$ 433,874	\$ 513,353	\$ 521,119	\$ (3,183,811)	\$ 417,305	\$ (625,726)	\$ 356,256	\$ 329,965	\$ 319,611	\$ 288,702	\$ 148,698	\$ 354,341	\$ 422,628	\$ 281,285	\$ 165,843
EDC Eligibility Analysis															
11 EDC Account, Opening Balance	\$ (754,625)	\$ (320,752)	\$ 192,602	\$ 718,150	\$ (2,449,144)	\$ (2,031,839)	\$ (2,657,565)	\$ (2,301,309)	\$ (1,971,344)	\$ (1,651,733)	\$ (1,363,030)	\$ (1,214,332)	\$ (859,991)	\$ (437,363)	\$ (156,078)
12 Revenue Minus Expenditures	\$ 433,874	\$ 513,353	\$ 521,119	\$ (3,183,811)	\$ 417,305	\$ (625,726)	\$ 356,256	\$ 329,965	\$ 319,611	\$ 288,702	\$ 148,698	\$ 354,341	\$ 422,628	\$ 281,285	\$ 165,843
13 Sub total	\$ (320,752)	\$ 192,602	\$ 713,720	\$ (2,465,661)	\$ (2,031,839)	\$ (2,657,565)	\$ (2,301,309)	\$ (1,971,344)	\$ (1,651,733)	\$ (1,363,030)	\$ (1,214,332)	\$ (859,991)	\$ (437,363)	\$ (156,078)	\$ 9,765
14 Interest Earnings (12 months on Sub-total)		\$ -	\$ 4,430	\$ 16,517	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
15 EDC 15-Year Forecast Account Closing Balance (includes Accrued Interest Exeprnse & Earnings)	\$ (320,752)	\$ 192,602	\$ 718,150	\$ (2,449,144)	\$ (2,031,839)	\$ (2,657,565)	\$ (2,301,309)	\$ (1,971,344)	\$ (1,651,733)	\$ (1,363,030)	\$ (1,214,332)	\$ (859,991)	\$ (437,363)	\$ (156,078)	\$ 9,765
16 EDC 15-Year Forecast Cash Closing Balance (excludes O/S Principal owed)	\$ (320,752)	\$ 192,602	\$ 718,150	\$ (2,449,144)	\$ (2,031,839)	\$ (2,657,565)	\$ (2,301,309)	\$ (1,971,344)	\$ (1,651,733)	\$ (1,363,030)	\$ (1,214,332)	\$ (859,991)	\$ (437,363)	\$ (156,078)	\$ 9,765

¹ 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:

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

- Line 1 determines the EDC revenue to be generated by residential building permits to be issued over the forecast period, based on a total of 7,636 projected City of Kingston permits and 2,922 permits within the area south of Highway 7 in Lennox and Addington County.
- Line 2 determines the EDC revenue to be generated by non-residential building permits to be issued over the forecast period (the ALCDSB is proposing a residential rate only).
- Line 3 subtotals the residential EDC revenue (Line 1) and the non-residential EDC revenue if any (Line 2).

B. Expenditures

- Line 4 brings forward into the calculation the annual site acquisition costs. For the ALCDSB there are none at this time.
- Line 5 incorporates the site preparation/development costs, and escalates these costs at 2.5% per annum over the entire 15-year forecast period.
- Line 6 incorporates the study costs specified under section 257.53(2) at the beginning of each new by-law period, based on the historical average, and over the 15-year forecast period.
- Line 7 totals all projected expenditures.
- Line 8 sets out the annual interest payments where EDC account deficits are funded internally by the Board. The initial interest rate of 3.2% is based on the Bank of Canada prime rate as of April 1, 2022 and increases to 4.25% by Year 6 of the 15-year forecast period.
- Line 9 calculates total expenditures by totaling Lines 4 through 6, plus line 8.

C. Cash Flow Analysis

- Line 10 calculates total revenues minus total expenditures (Line 6 minus Line 14), or net revenue
- Line 11 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 an EDC by-law in place previously.
- Line 12 pulls forward the revenues less expenditures balance.
- Line 13 calculates a sub-total of Lines 11 and 12.
- Line 14 accrues EDC account interest earnings at 2.3% on the sub-total (Line 13).
- Line 15 is the projected EDC account balance in each year, including any interest earnings on positive account balances, less any interest expense on negative account balances.
- Line 16 indicates the annual cumulative balance and the projected balance in the EDC account as of the end of Year 15 of the forecast period.

7.9 Education Development Charges

Finally, Tables 7-7 and 7-8 summarize the calculation of the residential and non-residential education development charges for the City of Kingston and Lennox and Addington County south of Highway 7 respectively.

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.

TABLE 7-7	
Algonquin and Lakeshore Catholic DSB	
CITY OF KINGSTON BY-LAW	
CALCULATION OF EDUCATION DEVELOPMENT CHARGES	
Total Growth-Related Net Education Land Costs (over 15-year forecast period including associated financing and study costs)	\$ 4,587,141
Site Acquisition Costs	\$ -
Land Escalation Costs	\$ -
Site Preparation Costs	\$ 2,759,268
Site Preparation Escalation Costs	\$ 212,162
Internal Borrowing Interest Accrued	\$ 475,873
Study Costs	\$ 392,400
Financial Obligations/Surplus (projected EDC Account Balance as of Oct 2, 2022)	\$ 754,625
Interest Earnings	\$ (13,463)
Closing Account Balance	\$ 6,276
Total Net New Units	7,636
Total Non-Residential, Non-Exempt Board-Determined GFA	2,886,325
Residential Education Development Charge Per Unit based on 100% of Total Growth-Related Net Education Land Costs	\$ 601
Non-Residential Education Development Charge Per Sq. Ft. of GFA based on 0% of Total Growth-Related Net Education Land Costs	\$ -

TABLE 7-8	
Algonquin and Lakeshore Catholic DSB	
LENNOX and ADDINGTON COUNTY south of Highway 7	
CALCULATION OF EDUCATION DEVELOPMENT CHARGES	
Total Growth-Related Net Education Land Costs (over 15-year forecast period including associated financing and study costs)	\$ 2,032,568
Site Acquisition Costs	\$ 670,000
Land Escalation Costs	\$ 105,609
Site Preparation Costs	\$ 774,600
Site Preparation Escalation Costs	\$ 101,788
Internal Borrowing Interest Accrued	\$ 264,566
Study Costs	\$ 120,000
Financial Obligations/Surplus (projected EDC Account Balance as of Oct 2, 2022)	\$ -
Interest Earnings	\$ (7,485)
Closing Account Balance	\$ 3,489
Total Net New Units	2,922
Total Non-Residential, Non-Exempt Board-Determined GFA	1,275,624
Residential Education Development Charge Per Unit based on 100% of Total Growth-Related Net Education Land Costs	\$ 696
Non-Residential Education Development Charge Per Sq. Ft. of GFA based on 0% of Total Growth-Related Net Education Land Costs	\$ -

APPENDIX A - EDC SUBMISSION 2022

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

**Algonquin and Lakeshore Catholic DSB
Education Development Charges Submission 2022
Form A - Eligibility to Impose an EDC based on ALCDSB Total Jurisdiction**

A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL JK-8

Elementary Panel Board-Wide Capacity	Projected Elementary Panel Average Daily Enrolment Headcount						Elementary Average Projected Enrolment less Capacity
	Year 1 2022/ 2023	Year 2 2023/ 2024	Year 3 2024/ 2025	Year 4 2025/ 2026	Year 5 2026/ 2027	Average Projected Enrolment Over Five Years	
7,782	7,973	8,023	8,032	8,095	8,081	8,041	259

A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL Gr 9-12

Secondary Panel Board-Wide Capacity	Projected Secondary Panel Average Daily Enrolment (ADE)						Secondary Projected Enrolment less Capacity
	Year 1 2022/ 2023	Year 2 2023/ 2024	Year 3 2024/ 2025	Year 4 2025/ 2026	Year 5 2026/ 2027	Average Projected Enrolment Over Five Years	
3,944	3,805	3,914	4,040	4,120	4,169	4,010	66

A.2: EDC FINANCIAL OBLIGATIONS (Estimated to June 30 2022)

Adjusted Outstanding Principal:	\$2,965,675
Less Adjusted EDC Account Balance:	\$2,211,050
Total EDC Financial Obligations/Surplus:	-\$754,625

Algonquin and Lakeshore Catholic DSB
Education Development Charges Submission 2022
Forms B/C - Dwelling Unit Summary

PROJECTION OF NET NEW DWELLING UNITS ¹

	Year 1 2022/ 2023	Year 2 2023/ 2024	Year 3 2024/ 2025	Year 4 2025/ 2026	Year 5 2026/ 2027	Year 6 2027/ 2028	Year 7 2028/ 2029	Year 8 2029/ 2030	Year 9 2030/ 2031	Year 10 2031/ 2032	Year 11 2032/ 2033	Year 12 2033/ 2034	Year 13 2034/ 2035	Year 14 2035/ 2036	Year 15 2036/ 2037	Total All Units
ALCDSB Jurisdiction																
Singles and Semi-Detached	963	964	964	954	954	903	902	850	836	822	757	752	699	687	682	12,688
Townhouses, Row Housing, etc.	228	229	227	256	244	217	200	201	192	173	124	133	124	124	121	2,795
Apartments	446	378	386	508	400	401	414	364	335	310	278	391	526	285	271	5,693
Total	1,637	1,571	1,578	1,717	1,599	1,522	1,516	1,415	1,362	1,305	1,159	1,276	1,350	1,096	1,073	21,175
CE01 Kingston West																
Singles and Semi-Detached	216	206	189	170	110	50	118	103	107	118	118	118	72	63	63	1,823
Townhouses, Row Housing, etc.	82	78	72	82	39	-	11	26	53	35	18	23	16	20	1	555
Apartments	238	133	81	123	-	97	86	135	135	135	197	169	94	122	-	1,747
Total	536	416	342	375	149	147	215	265	295	289	334	310	182	205	64	4,124
CE02 Kingston Central																
Singles and Semi-Detached	4	8	15	16	11	11	16	15	11	-	-	-	-	-	-	108
Townhouses, Row Housing, etc.	40	44	45	36	46	56	60	22	37	42	25	21	27	24	42	568
Apartments	132	174	225	264	310	214	230	146	109	62	-	146	355	75	197	2,640
Total	176	227	285	316	368	282	306	182	157	104	25	166	383	99	240	3,315
CE02A Wolfe Island, Simcoe Island & Horseshoe Island																
Singles and Semi-Detached	10	10	9	9	8	8	8	8	8	8	8	8	8	8	8	128
Townhouses, Row Housing, etc.	1	1	1	2	1	1	1	1	1	1	2	1	1	1	1	16
Apartments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	11	11	10	11	9	9	9	9	8	8	9	8	8	9	9	144
CE03 Kingston East																
Singles and Semi-Detached	4	9	20	24	88	94	22	3	3	3	3	3	3	3	3	284
Townhouses, Row Housing, etc.	-	-	1	-	33	33	18	41	-	1	-	-	-	1	-	128
Apartments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	4	9	21	24	121	127	39	44	3	4	3	3	3	4	3	412
CE03A Southeast portion of South Frontenac																
Singles and Semi-Detached	72	72	73	73	73	72	72	73	63	63	63	63	63	63	59	1,020
Townhouses, Row Housing, etc.	1	1	-	1	1	1	2	2	1	1	2	1	1	1	1	16
Apartments	5	-	-	8	-	-	-	-	-	4	5	-	-	-	-	21
Total	78	73	73	82	74	73	74	75	64	68	70	64	64	64	60	1,057
CE04 North, Central & South Frontenac County (north & west of Collins Lake, Inverary Lake, Lower Round Lake Rd., s side of Loughborough Lake & Fishing Lake Rd. to eastern boundary)																
Singles and Semi-Detached	30	30	30	30	32	32	32	32	30	28	28	28	26	26	23	438
Townhouses, Row Housing, etc.	-	-	2	2	1	1	-	-	2	3	1	1	-	-	1	13
Apartments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	30	30	32	32	33	33	32	32	32	31	29	29	26	26	24	451
CE05 Lennox & Addington County & Amherst Island																
Singles and Semi-Detached	143	145	145	145	142	144	144	146	144	136	136	134	132	131	131	2,096
Townhouses, Row Housing, etc.	38	38	38	38	38	38	38	38	38	34	34	34	34	34	34	541
Apartments	8	8	8	8	8	8	9	9	8	8	8	8	8	8	8	125
Total	189	191	191	191	188	190	191	193	190	178	178	176	173	173	173	2,763
CE06 Hastings County, South Algonquin & Highlands West																
Singles and Semi-Detached	77	77	78	80	81	82	82	82	82	84	84	84	82	82	85	1,219
Townhouses, Row Housing, etc.	3	3	3	4	3	3	3	3	4	4	2	3	4	4	3	46
Apartments	-	-	-	24	-	-	19	-	-	25	-	5	9	5	19	105
Total	80	80	81	107	84	85	103	85	86	113	86	91	95	90	106	1,371
CE07 City of Belleville, Quinte West east of Aikens Rd. & Prince Edward County north of Christian Rd./Jericho Rd.																
Singles and Semi-Detached	111	111	111	111	112	113	113	113	113	113	49	47	47	44	44	1,351
Townhouses, Row Housing, etc.	34	34	35	43	35	35	34	39	30	29	17	27	17	19	17	445
Apartments	34	34	34	42	45	45	42	38	42	41	24	20	14	26	11	493
Total	179	179	180	196	192	193	189	190	185	183	89	94	78	89	72	2,288
CE08 Quinte West (west of Aikens Rd.) & west side of Prince Edward County																
Singles and Semi-Detached	173	172	172	172	172	172	172	174	175	168	167	168	168	167	167	2,561
Townhouses, Row Housing, etc.	18	19	19	37	36	36	20	20	19	15	15	15	17	14	14	312
Apartments	29	29	29	29	27	27	26	26	26	35	35	35	35	35	35	459
Total	220	220	220	238	235	235	218	220	220	218	217	218	220	216	216	3,331
CE09 South & East side of Prince Edward County and south of Christian Rd./Jericho Rd. (including Picton and Wellington)																
Singles and Semi-Detached	122	122	122	123	124	125	124	101	101	101	101	99	99	100	99	1,661
Townhouses, Row Housing, etc.	12	12	12	12	13	14	14	9	8	8	8	8	8	8	8	155
Apartments	-	-	9	9	9	9	-	9	13	-	10	9	11	13	-	104
Total	134	134	144	145	147	149	138	119	122	109	119	116	118	120	106	1,920

Notes: 1. Assumed to be net of demolitions and conversions. Includes conversion of seasonal dwelling units.

Grand Total Gross New Units in By-Law Area	22,527
Less: Statutorily Exempt Units in By-Law Area	1,352
Total Net New Units in By-Law Area	21,175

Form D (although the ALCDSB has not, in the past, imposed education development charges against non-residential development, which would add to the administrative burden of the local municipalities).

**Algonquin and Lakeshore Catholic DSB
Education Development Charges Submission 2022
Form D - Non-Residential Development - ALCDSB Total Jurisdiction**

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

Total Estimated Non-Residential Board-Determined Gross Floor Area to be Constructed Over 15 Years From Date of By-Law Passage	9,469,891
Less: Board-Determined Gross Floor Area From Exempt Development (22.2%)	2,099,153
Net Estimated Board-Determined Gross Floor Area	7,370,738

**Algonquin and Lakeshore Catholic DSB
Education Development Charges Submission 2022
Form D - Non-Residential Development - **City of Kingston only****

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

Total Estimated Non-Residential Board-Determined Gross Floor Area to be Constructed Over 15 Years From Date of By-Law Passage	3,500,963
Less: Board-Determined Gross Floor Area From Exempt Development (17.6%)	614,637
Net Estimated Board-Determined Gross Floor Area	2,886,325

**Algonquin and Lakeshore Catholic DSB
Education Development Charges Submission 2022
Form D - Non-Residential Development - **Lennox and Addington County only****

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

Total Estimated Non-Residential Board-Determined Gross Floor Area to be Constructed Over 15 Years From Date of By-Law Passage	1,544,811
Less: Board-Determined Gross Floor Area From Exempt Development (17.1%)	264,287
Net Estimated Board-Determined Gross Floor Area	1,280,524

FORM E**Algonquin and Lakeshore Catholic DSB****Education Development Charges Submission 2022****Net Growth-related Pupil Places****Elementary Panel JK-8**

Review Area	Total Cumulative 15 Year New Unit Projections (1)	% Total Forecast Municipal Residential Growth (2)	Weighted Blended EDC Pupil Yield (3)	2022/23-2036/37 Pupil Requirements of New Development (4)=(3) x (1)	2021/22 OTG Capacity (5)	2036/37 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
CE01 Kingston West	4,387	19.5%	0.0933	409	1,322	1,254	483	1,939	590	1,858	4,387
CE02 Kingston Central	3,527	15.7%	0.0246	87	1,178	880	-	115	616	2,796	3,527
CE02A Wolfe Island, Simcoe Island & Horseshoe Island	153	0.7%	0.0972	15	141	60	-	136	17	0	153
CE03 Kingston East	386	1.7%	0.1002	39	573	470	-	253	133	0	386
CE03A Southeast portion of South Frontenac	1,124	5.0%	0.0436	49	-	-	-	1,085	17	22	1,124
CE03B Howe Island	52	0.2%	0.0434	2	-	-	-	49	3	0	52
CE04 North, Central & South Frontenac County (north & west of Collins Lake, Inverary Lake, Lower Round Lake Rd., s side of Loughborough Lake & Fishing Lake Rd. to eastern boundary)	480	2.1%	0.0457	22	245	260	-	466	14	0	480
CE05 Lennox & Addington County & Amherst Island	2,939	13.0%	0.0875	257	450	742	392	2,230	576	133	2,939
CE06 Hastings County, South Algonquin & Highlands West	1,458	6.5%	0.0824	120	775	665	-	1,297	49	112	1,458
CE07 City of Belleville, Quinte West east of Aikens Rd. & Prince Edward County north of Christian Rd./Jericho Rd.	2,434	10.8%	0.0617	150	1,853	1,474	-	1,437	473	524	2,434
CE08 Quinte West (west of Aikens Rd.) & west side of Prince Edward County	3,544	15.7%	0.0762	270	1,043	896	-	2,724	332	488	3,544
CE09 South & East side of Prince Edward County and south of Christian Rd./Jericho Rd. (including Pcton and Wellington)	2,043	9.1%	0.0222	45	202	171	-	1,767	165	111	2,043
TOTAL	22,527	100%	0.0651	1,466	7,782	6,871	875	13,498	2,985	6,044	22,527

Secondary Panel Gr 9-12

Review Area	Total Cumulative 15 Year New Unit Projections (1)	% Total Forecast Municipal Residential Growth (2)	Weighted Blended EDC Pupil Yield (3)	2022/23-2036/37 Pupil Requirements of New Development (4)=(3) x (1)	2021/22 OTG Capacity (5)	2036/37 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
CS01 Regipopolis & Holy Cross Boundaries	13,048	57.9%	0.0259	338	2,080	1,819	-	6,273	1,966	4,809	13,048
CS02 St. Theresa, Nicholson & St. Paul boundaries	9,479	42.1%	0.0310	294	1,864	1,707	-	7,225	1,019	1,235	9,479
TOTAL	22,527	100.0%	0.0281	632	2,080	3,526	-	13,498	2,985	6,044	22,527
TOTAL BOTH PANELS				2,098	9,862	10,397	875				

ELEMENTARY PANEL

ELEMENTARY REVIEW AREAS MAP

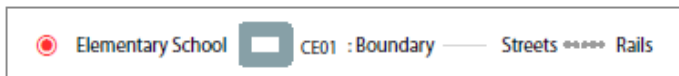


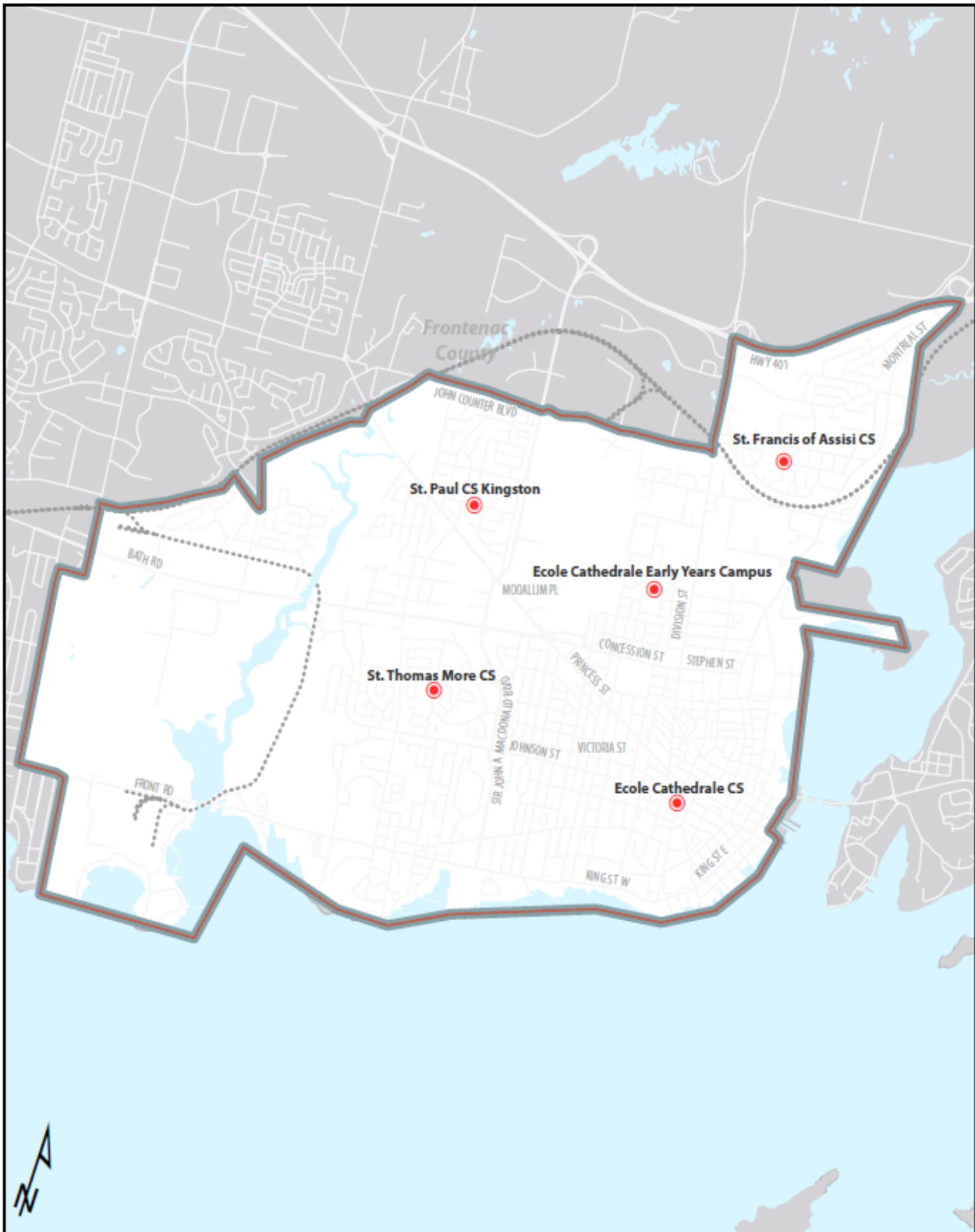
Algonquin & Lakeshore Catholic District School Board: Elementary Review Areas





Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE01





Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE02





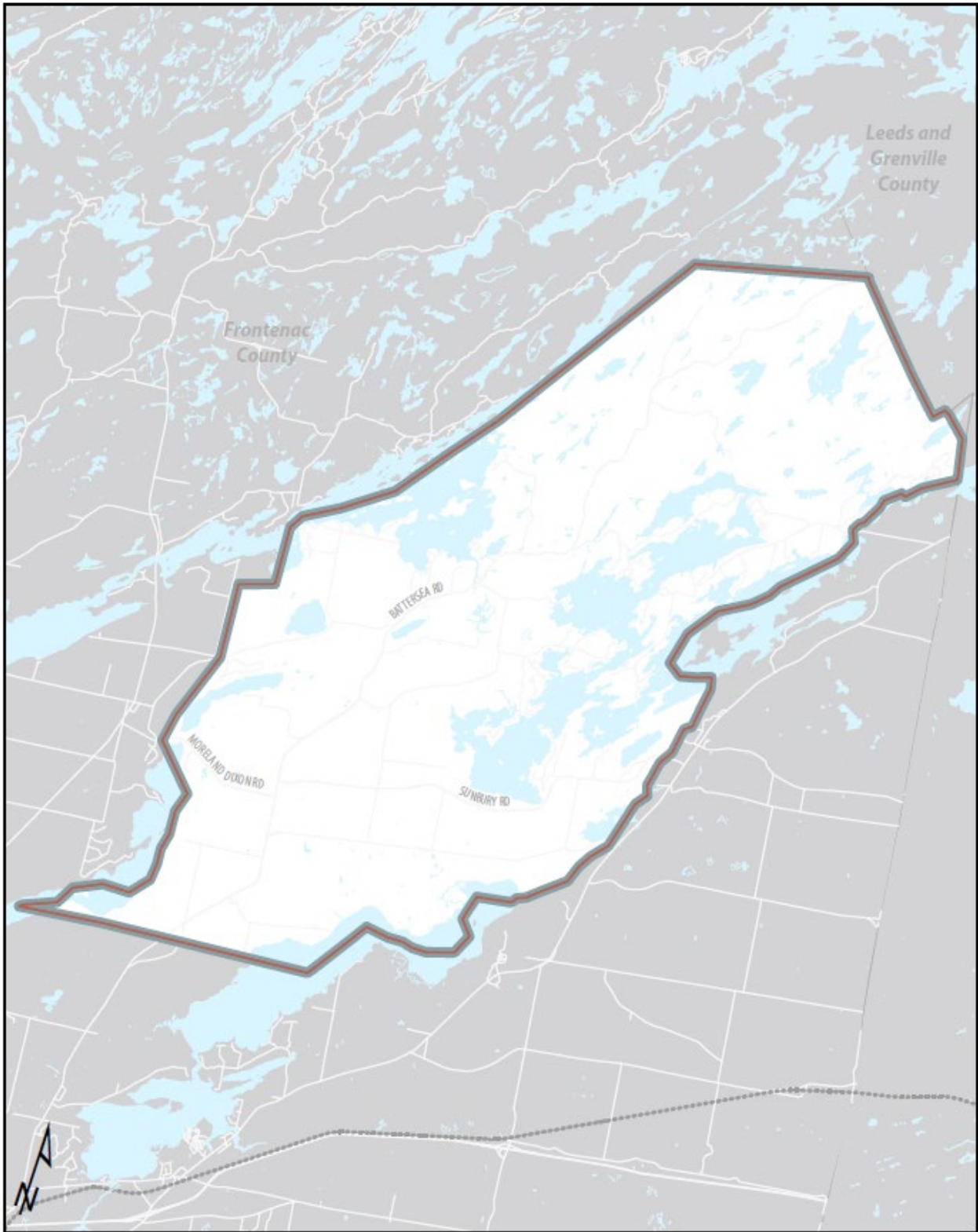
Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE02A





Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE03





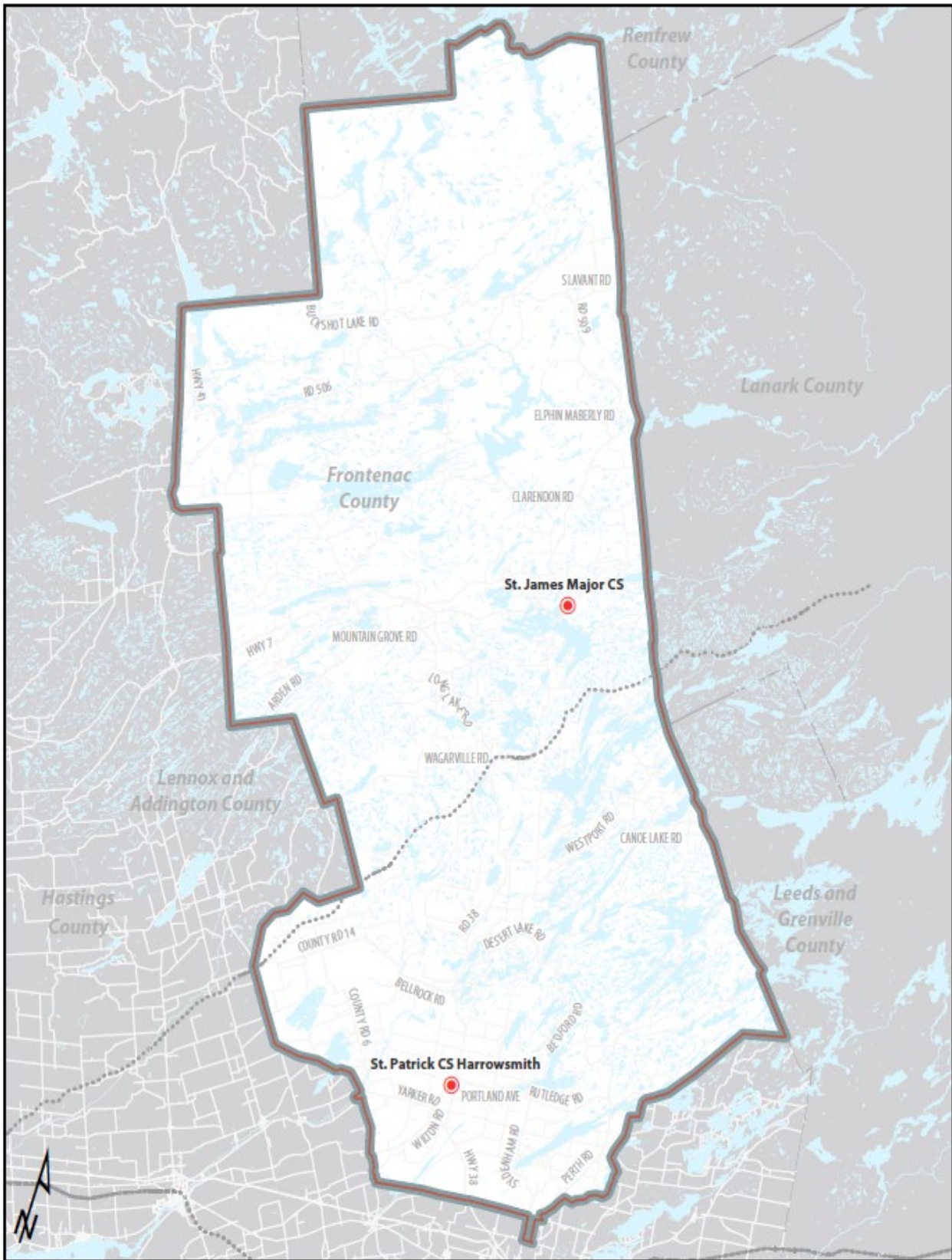
Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE03A





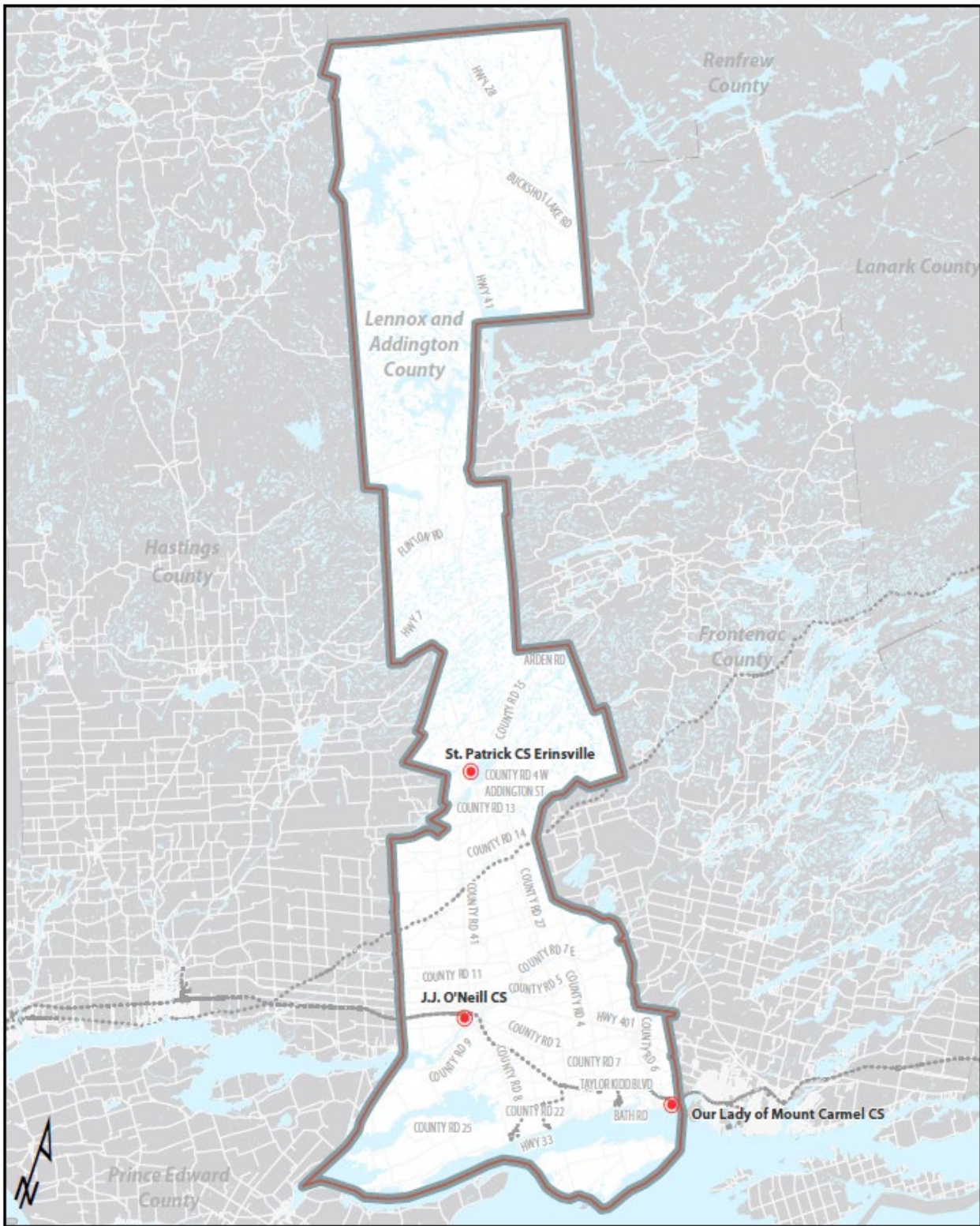
Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE03B





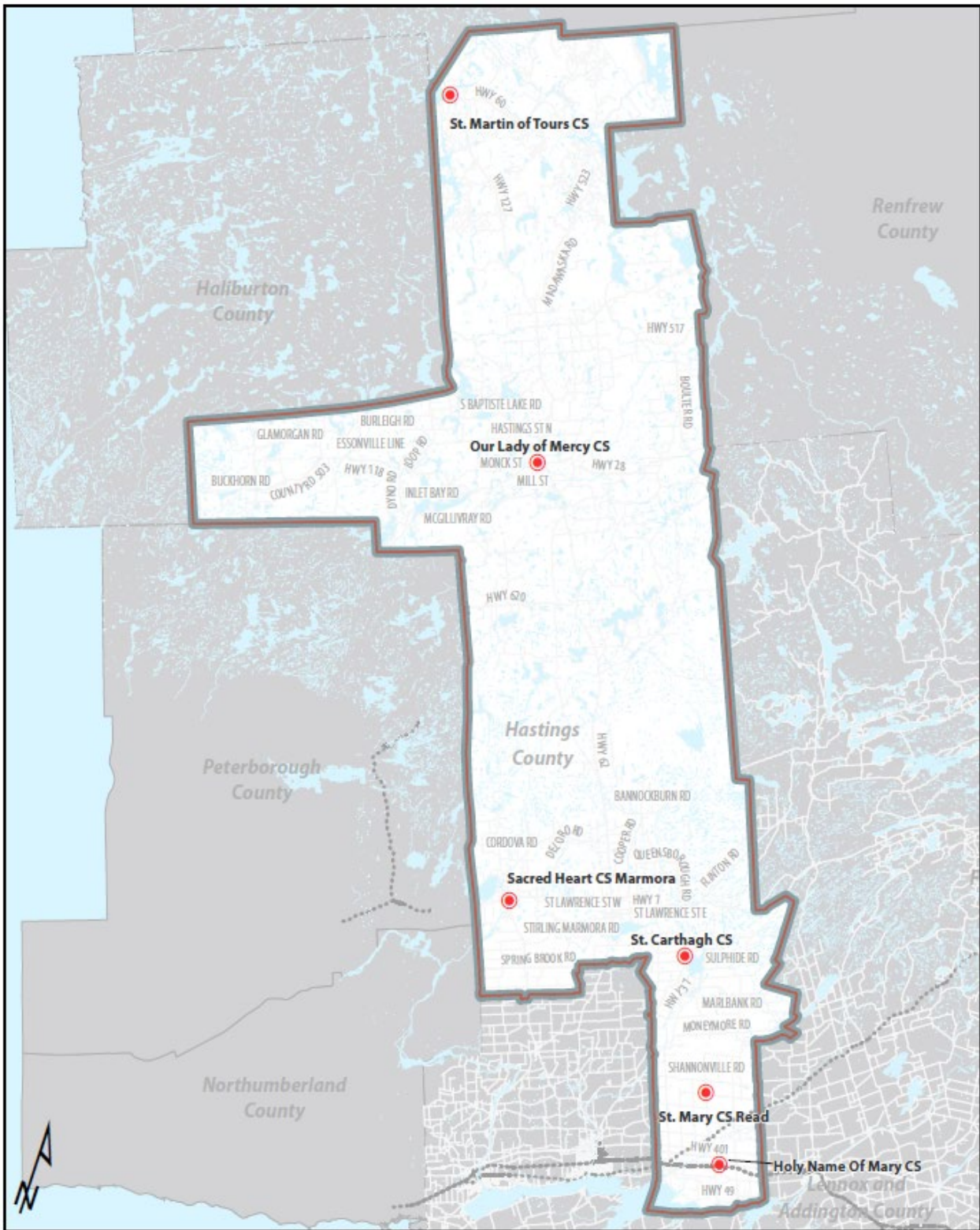
Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE04



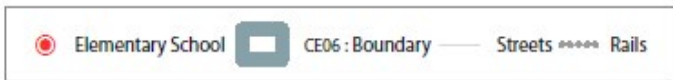


Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE05





Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE06



**Algonquin and Lakeshore Catholic DSB - FORMS E AND F
EDUCATION DEVELOPMENT CHARGES SUBMISSION 2022**

	Projected Housing Growth										Weighted/ Blended Elementary Yield	Total Net New Units 2036/37	Total Yr. 15 Growth- related Pupils			
	Total IGRPP	Year 9 2030/31	Year 8 2029/30	Year 7 2028/29	Year 6 2027/28	Year 5 2026/27	Year 4 2025/26	Year 3 2024/25	Year 2 2023/24	Year 1 2022/23				Year 10 2031/32	Year 11 2032/33	Year 12 2033/34
1. No identified growth-related site needs at this time	94															
2.																
3.																

Review Area: CE06 Hastings County, South Algonquin & Highlands West

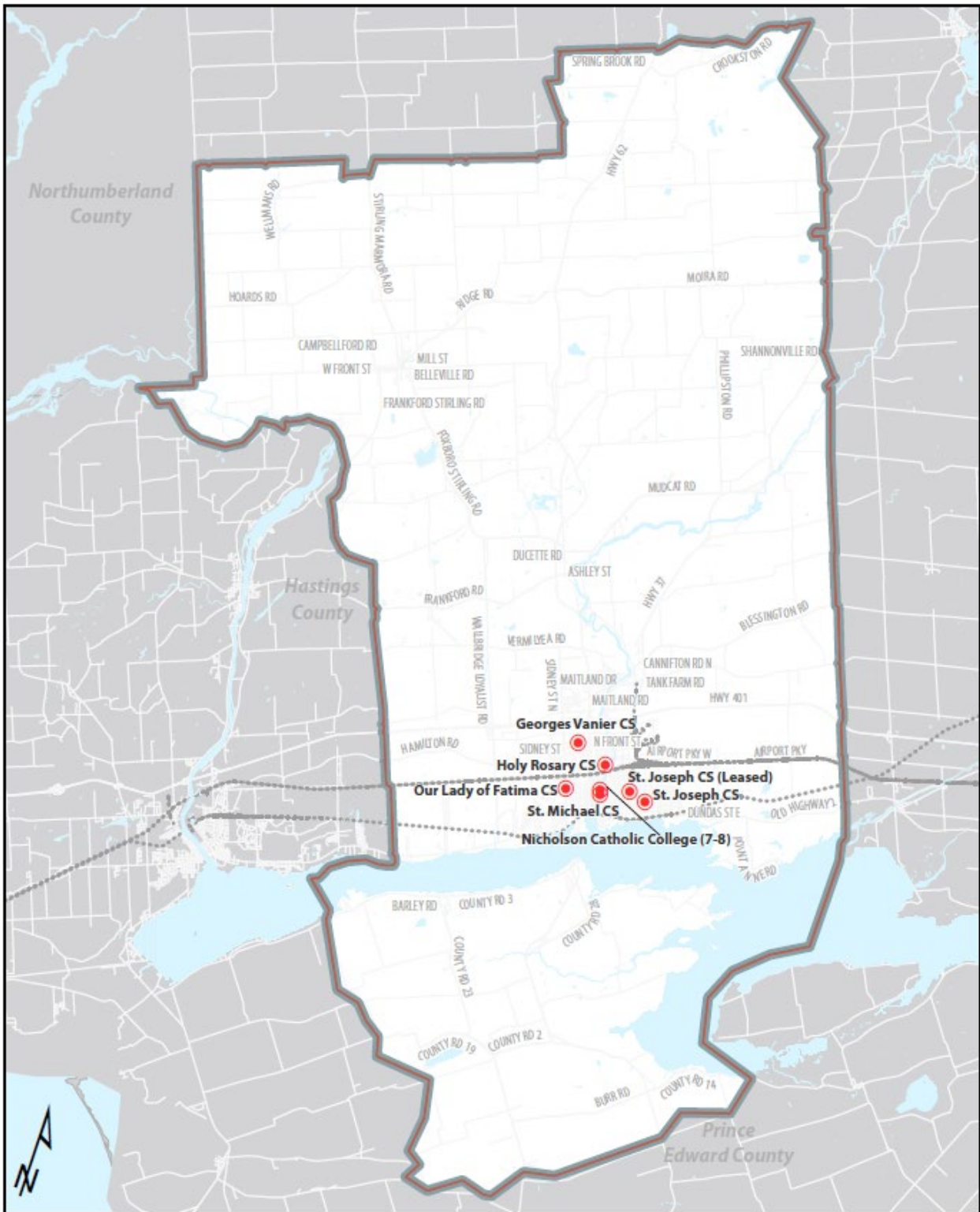
Projected Housing Growth (Gross Units)	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37
Low Density	82	82	83	85	86	87	87	87	87	89	89	89	87	87	90
Medium Density	3	3	3	4	3	3	3	3	4	4	4	4	4	4	3
High Density - Apartments	-	-	-	25	-	-	20	-	-	27	-	5	10	5	20
A. Total Net Dwelling Units	85	85	86	114	89	90	110	90	91	120	91	97	101	96	113

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

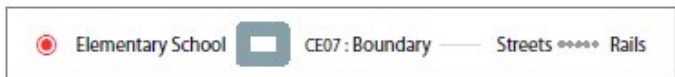
OTG Capacity	Current	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37
141	143	146	143	147	146	149	151	146	146	137	138	137	136	135	134	133
219	138	131	124	121	114	110	107	108	105	106	106	105	104	103	102	101
110	14	13	11	10	10	11	11	12	11	10	10	10	10	10	10	10
92	111	118	122	131	133	136	136	136	137	134	133	132	132	131	129	128
562	406	407	402	405	406	409	409	401	402	389	388	365	362	379	375	372
Total ROND		2	4	7	9	11	11	18	21	24	27	30	32	35	37	40
Total Surplus Pupil Spaces	156	152	156	150	145	145	139	143	139	150	146	147	148	149	150	150

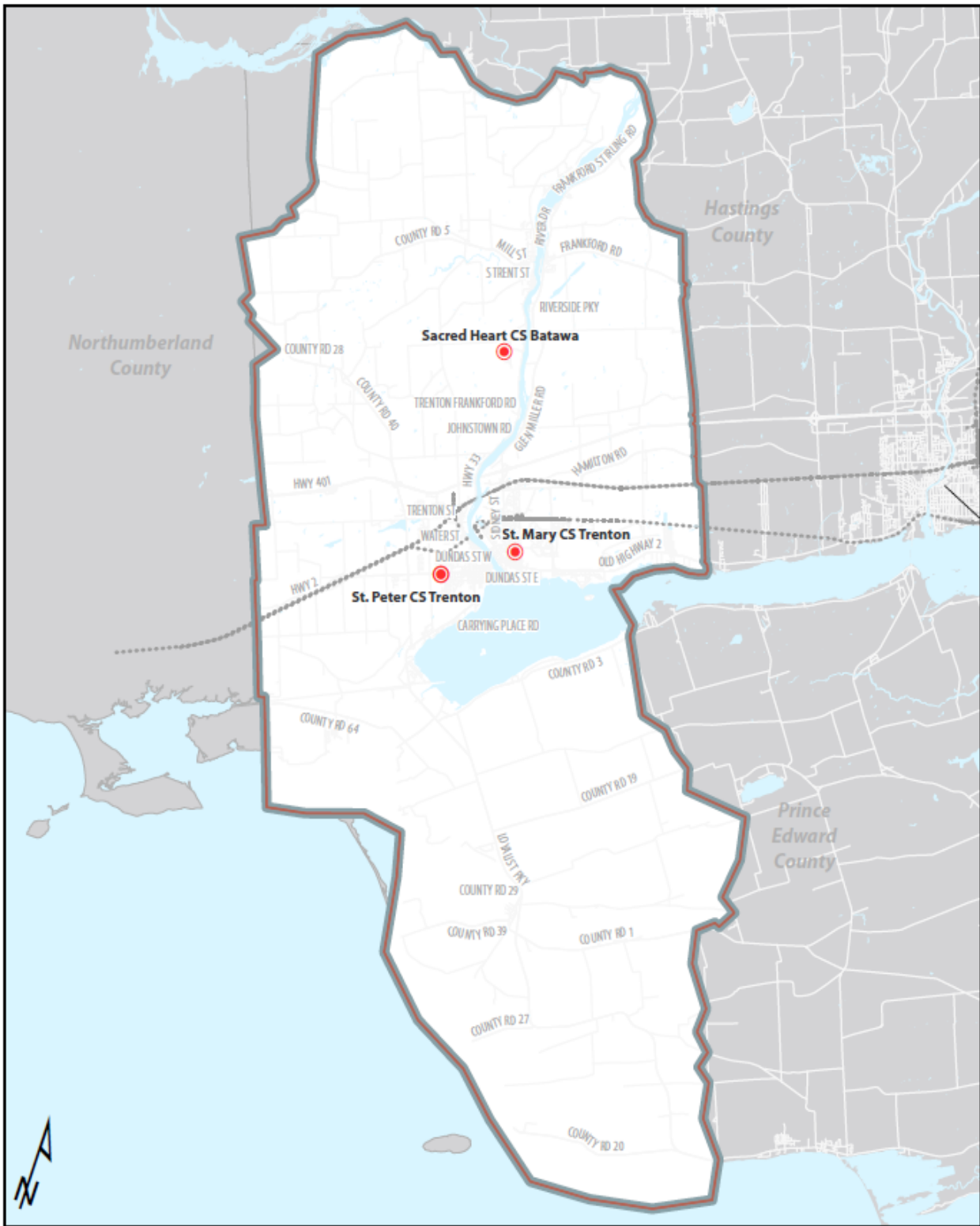
Review Area Schools Impacted by Housing Growth and for which additional Growth-related Accommodation Solutions are Required

OTG Capacity	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
	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37
121	121	123	127	127	127	127	122	115	115	116	117	116	115	114	113	112
164	184	191	187	191	193	196	190	189	187	189	187	186	185	183	182	181
		4	9	13	18	22	28	34	41	47	53	58	62	67	72	77
213	305	319	323	331	338	346	341	339	344	353	359	362	365	368	371	374
Total Pupil Spaces Available to Accommodate Growth																
Requirements of New Development for Growth Areas (Cumulative)		9	9	13	18	23	29	36	42	49	55	60	65	70	75	81

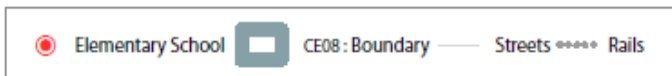


Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE07





Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE08



**Algonquin and Lakeshore Catholic DSB - FORMS E AND F
EDUCATION DEVELOPMENT CHARGES SUBMISSION 2022**

	Projected Housing Growth										Weighted/ Blended Elementary Yield	Total Net New Units 2086/37	Total Yr. 15 Growth- related Pupils
	Total INRPP	Year 8 2029/30	Year 7 2028/29	Year 6 2027/28	Year 5 2026/27	Year 4 2025/26	Year 3 2024/25	Year 2 2023/24	Year 1 2022/23	Year 0 2021/22			
1. No identified site acquisition needs at this time	132										0.0940	2,724	256
2.											0.0205	332	7
3.											0.0148	488	7
											0.0762	3,544	270

Review Area: CE08 Quinte West (west of Aikins Rd.) & west side of Prince Edward County

Projected Housing Growth (Gross Units)	Year 1 2022/23	Year 2 2023/24	Year 3 2024/25	Year 4 2025/26	Year 5 2026/27	Year 6 2027/28	Year 7 2028/29	Year 8 2029/30	Year 9 2030/31	Year 10 2031/32	Year 11 2032/33	Year 12 2033/34	Year 13 2034/35	Year 14 2035/36	Year 15 2036/37
	Low Density	184	183	183	183	183	183	183	185	186	179	178	179	179	178
Medium Density	19	20	20	39	38	38	21	21	20	16	16	16	18	15	15
High Density - Apartments	31	31	31	31	29	29	28	28	28	37	37	37	37	37	37
A Total Net Dwelling Units	234	234	234	253	250	250	232	234	234	232	231	232	234	230	230

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 2021/22	Year 1 2022/23	Year 2 2023/24	Year 3 2024/25	Year 4 2025/26	Year 5 2026/27	Year 6 2027/28	Year 7 2028/29	Year 8 2029/30	Year 9 2030/31	Year 10 2031/32	Year 11 2032/33	Year 12 2033/34	Year 13 2034/35	Year 14 2035/36	Year 15 2036/37
B1 Sacred Heart Catholic School (JK-8) (Batawa)	141	151	154	149	152	154	158	161	161	160	165	163	161	159	157	155	154
B2 St. Mary Catholic School (JK-6) (Trenton)	496	346	339	337	330	324	328	329	325	318	315	312	309	305	302	299	296
B3 St. Paul Catholic SS (Gr 7/8) (Trenton)	161	187	190	185	168	155	143	155	163	164	156	143	143	143	141	140	140
B4																	
B5																	
B6																	
B7																	
B8																	
B9																	
B10																	
Totals	798	684	683	670	650	633	629	645	649	642	636	618	613	607	600	594	590
Total ROND		12	12	24	36	48	60	76	92	108	124	140	152	163	175	187	198
B Total Surplus Pupil Spaces		114	103	104	113	117	109	77	57	48	38	40	33	28	23	18	10

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

Review Area Schools	OTG Capacity	Current 2021/22	Year 1 2022/23	Year 2 2023/24	Year 3 2024/25	Year 4 2025/26	Year 5 2026/27	Year 6 2027/28	Year 7 2028/29	Year 8 2029/30	Year 9 2030/31	Year 10 2031/32	Year 11 2032/33	Year 12 2033/34	Year 13 2034/35	Year 14 2035/36	Year 15 2036/37
C1 St. Peter Catholic School (JK-8) (Trenton)	245	396	376	365	356	361	354	340	334	325	323	320	317	314	312	309	306
C2 ROND			5	9	14	19	23	30	36	42	47	53	57	61	64	68	72
C3 ROND																	
C4 ROND																	
C5 ROND																	
Totals	245	396	380	374	370	380	377	369	370	366	370	372	373	374	376	377	377
C Total Pupil Spaces Available to Accommodate Growth			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
D Requirements of New Development for Growth Areas (Cumulative)			9	14	19	23	30	36	42	47	53	57	61	64	68	72	



Algonquin & Lakeshore Catholic District School Board: Elementary Review Area: CE09



SECONDARY PANEL

SECONDARY REVIEW AREAS MAP

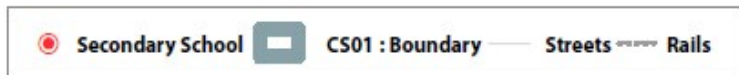


Algonquin & Lake shore Catholic District School Board: Secondary Review Areas





Algonquin & Lakeshore Catholic District School Board: Secondary Review Area: CS01





Algonquin & Lakeshore Catholic District School Board: Secondary Review Area: CS02



Form G - Growth-related Elementary (JK-8) Net Education Lands

Review Area	Description of Growth-related Site Acquisition Needs	Site Status	Proposed Year of Acquisition	Proposed NGRPP Requirements	Proposed School Capacity	% of Capacity Attributable to NGRPP Requirements	Total # of Acres Required	EDC Eligible Acres	Cost per Acre	Education Land Costs	Education Land Costs previously funded from EDC account	Eligible Site Preparation Costs	Site Preparation Costs previously funded from EDC account	Land Escalation Costs	Site Preparation Escalation Costs	Financing Costs	Total Education Land Costs
CE01	Kingston West	Owned	2023	463	481	100%	5.58	5.58	\$ 461,174	\$ 2,573,352	\$ (2,573,352)	\$ 2,759,268	\$ -	\$ -	\$ 212,162	\$ 468,686	\$ 3,440,116
CE05	Our Lady of Mount Carmel approved replacement school build with 152 additional pupil places	TBD	2025	152	152	100%	0.00	1.00	\$ 670,000	\$ 670,000	\$ -	\$ 387,300	\$ -	\$ 105,609	\$ 50,894	\$ 191,454	\$ 1,405,257
CE06	J.J O'Neil addition	Owned	2025	240	240	100%	0.00	1.00	\$ -	\$ -	\$ -	\$ 387,300	\$ -	\$ -	\$ 50,894	\$ 69,117	\$ 507,311
Total Elementary Education Land Costs		1,466		875	873		5.6	7.6		\$ 3,243,352		\$ 3,553,868		\$ 105,609	\$ 313,950	\$ 729,257	\$ 5,352,684

Form G Secondary

There are no growth-related secondary site needs within the ALCDSB jurisdiction at this time.

**Algonquin and Lakeshore Catholic DSB
Education Development Charges Submission 2022
Form H1 - EDC Calculation - Uniform Residential and Non-Residential**

Determination of Total Growth-Related Net Education Land Costs

Total	15-Year Education Land Costs (Form G)	\$ 5,352,684
Add	EDC Financial Obligations (Form G)	\$ 754,625
Less	Positive EDC Account Balance	\$ -
Subtotal	Growth-Related Net Education Land Costs	\$ 6,107,309
Add	EDC Study Costs	\$ 512,400
Total	Growth-Related Net Education Land Costs	\$ 6,619,709

EDC By-law #1	EDC By-law #2
City of Kingston	Lennox and Addington County south of Hwy 7
64.3%	35.7%

\$ 3,440,116	\$ 1,912,568
\$ 754,625	
\$ -	\$ -
\$ 4,194,741	\$ 1,912,568
\$ 392,400	\$ 120,000
\$ 4,587,141	\$ 2,032,568

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%	\$ 6,619,709	\$ 4,587,141	\$ 2,032,568

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

Calculation of Uniform Residential Charge

Residential Growth-Related Net Education Land Costs	\$ 6,619,709	\$ 4,587,141	\$ 2,032,568
Net New Dwelling Units (Form C)	10,558	7,636	2,922
Uniform Residential EDC per Dwelling Unit	\$ 627	\$ 601	\$ 696

Calculation of Uniform Residential Charge

Calculation of Non-Residential Charge - Based on Board Determined GFA

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		\$ -	\$ -

Calculation of Non-Residential Charge

Financing costs related to 15-year Projected EDC-eligible expenditures (to be distributed proportionately through EDC Submission Sheets)

\$ 719,492

Algonquin and Lakeshore Catholic DSB
Ontario Ministry of Education
Education Development Charges Submission 2022
Form H2 - EDC Calculation - Differentiated Residential and Non-Residential

Residential Growth-Related Net Education Land Cost \$ 6,619,709

Differentiated Jurisdiction-wide Rate

Determination of Distribution of New Development

Type of Development (Form B)	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	Distribution of Secondary Gross Requirements of New Development	Total Gross Requirements of New Development	Distribution Factor
Low Density	4,335	0.0900	1,215	82.91%	0.0396	535	84.59%	1,750	83.42%
Medium Density	1,808	0.0643	192	13.09%	0.0260	78	12.28%	269	12.84%
High Density	4,415	0.0097	59	4.00%	0.0033	20	3.13%	78	3.74%
Total Units	10,558	0.0651	1,466	100.00%	0.0281	632	100.00%	2,098	100.00%

Jurisdiction-wide Cost per Dwelling Unit \$627

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
Low Density	\$5,522,018	4,335	\$ 1,274
Medium Density	\$850,194	1,808	\$ 470
High Density	\$247,497	4,415	\$ 56
Total EDC Revenue Generated:	\$6,619,709	10,558	

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APPENDIX B - DRAFT KINGSTON EDC BY-LAW

A by-law for the imposition of education development charges in the City of Kingston

**ALGONQUIN AND LAKESHORE
CATHOLIC DISTRICT SCHOOL BOARD
EDUCATION DEVELOPMENT CHARGES
BY-LAW NO. 2022-●-●**

**A by-law for the imposition of education development charges
in the City of Kingston**

WHEREAS subsection 257.54 (1) of the *Education Act* (the “**Act**”) provides that if there is residential development in the area of jurisdiction of a district school board that would increase education land costs, the district school 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, provided that the development requires one or more of the actions identified in subsection 257.54(2) of the Act;

AND WHEREAS subsection 257.54(4) of the Act provides that an education development charge by-law may apply to the entire jurisdiction of a district school board or only a part of it;

AND WHEREAS pursuant to section 257.57 of the Act and section 19 of Ontario Regulation 20/98, as amended, made under the Act, the area of jurisdiction of the Algonquin and Lakeshore Catholic District School Board (the “**Board**”) is divided into regions and the City of Kingston (the “**City**”) is part of one of the prescribed regions;

AND WHEREAS the Board has determined that residential development of land in the City of Kingston increases education land costs;

AND WHEREAS the Board has referred to the Minister of Education the following estimates with respect to the City for approval:

- (i) the total number of new school pupils and the number of existing school pupil places that could reasonably be used to accommodate those new school pupils, for each of the 15 years immediately following the day the Board intends to have this By-law come into force;
- (ii) the total number of new school pupils who were or who are, for each of the years referred to in paragraph (i), expected to be generated by new dwelling units that were since October 15, 2017 built in the area in which the charges are to be

imposed under this By-law;

- (iii) the number of existing and planned school pupil places that could reasonably be used to accommodate the estimated total number of new school pupils referred to in paragraph (ii); and,
- (iv) the number of school sites used by the Board to determine the net education land cost to be recovered in the 15-year period immediately following the day the Board intends to have this By-law come into force;

which estimates the Minister of Education approved on ●, 2022 in accordance with section 10 of Ontario Regulation 20/98, as amended;

AND WHEREAS at the time of expiry of the Algonquin and Lakeshore Catholic District School Board Education Development Charges By-law, 2017-10-01, the balance in the education development charge account with respect to the said By-law will be 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 education development charges to be imposed under that By-law;

AND WHEREAS the Board has given a copy of the education development charge background study relating to this by-law to the Minister of Education and to each school board having jurisdiction within the area to which this by-law applies;

AND WHEREAS the Board has given notice of and held a public meeting on September 13, 2022, in accordance with subsection 257.60(2) of the Act;

AND WHEREAS the Board has given notice of and held public meetings on September 13, 2022 and September 27, 2022, in accordance with subsection 257.63(1) of the Act;

AND WHEREAS the Board has permitted any person who attended the public meetings on September 13, 2022 and September 27, 2022 to make representations in respect of the proposed education development charges and by-law;

AND WHEREAS the Board has determined in accordance with subsection 257.63(3) of the Act that no additional public meeting is necessary in respect of this By-law;

NOW THEREFORE ALGONQUIN AND LAKESHORE CATHOLIC DISTRICT SCHOOL BOARD HEREBY ENACTS AS FOLLOWS:

**PART I
APPLICATION**

Defined Terms

1. 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 Algonquin and Lakeshore Catholic District School Board;
 - (c) “City” means the local municipality of Kingston;
 - (d) “development” includes redevelopment;
 - (e) “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 townhouse and townhouse;
 - (f) “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).but not:
 - (vi) costs of any building to be used to provide pupil accommodation; or
 - (vii) costs that are prescribed in the Regulation as costs that are not education land costs.

- (g) “education development charge” means charges imposed pursuant to this by-law in accordance with the Act;
 - (h) “local board” means a local board as defined in the *Municipal Affairs Act*, R.S.O. 1990, c. M.46, as amended, other than a board defined in subsection 257.53(1) of the Act;
 - (i) “mixed use” means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential uses;
 - (j) “*Planning Act*” means the Planning Act, R.S.O. 1990, c. P.13, as amended;
 - (k) “Regulation” means Ontario Regulation 20/98, as amended, made under the Act;
 - (l) “residential development” means lands, buildings or structures developed or to be developed for residential use;
 - (m) “residential use” means lands, buildings or structures used, or designed or intended for use as a dwelling unit or units, and shall include a residential use accessory to a non-residential use and the residential component of a mixed use or agricultural use.
2. In this by-law where reference is made to a statute, a section of a statute or regulation, such reference is deemed to be a reference to any successor statute, section or regulation.
 3. Unless otherwise expressly provided in this by-law, items defined in the Act or the Regulation shall have the same meaning in this by-law.

Lands Affected

4. (1) Subject to subsection 4(2), this by-law applies to all lands in the City.
- (2) This by-law shall not apply to lands that are owned by and are used for the purposes of:
 - (a) the City or a local board thereof;
 - (b) a board as defined in subsection 257.53(1) of the Act;
 - (c) the Crown in right of Ontario or the Crown in right of Canada; or
 - (d) a public hospital receiving aid under the *Public Hospitals Act*, R.S.O. 1990, c.P.40.
- (3) Subject to subsection 4(4), an owner shall be exempt from education development charges if a development on its lands would construct, erect, or place a building or structure, or make an addition or alteration to a building or structure for one of the following purposes:
 - (a) a private school;
 - (b) a long-term care home, as defined in the *Long-Term Care Homes Act, 2007*, S.O. 2007, c. 8, as amended;
 - (c) a retirement home, as defined in the *Retirement Homes Act, 2010*, S.O. 2010, c. 11, as amended;

- (d) a hospice or other facility that provides palliative care services;
 - (e) a child care centre, as defined in the *Child Care and Early Years Act, 2014*, S.O. 2014, c. 11, Sched. 1, as amended; or
 - (f) a memorial home, clubhouse or athletic grounds owned by the Royal Canadian Legion.
- (4) If only a portion of a building or structure, or an addition or alteration to a building or structure, referred to in paragraph 4(3) will be used for a purpose identified in that paragraph, only that portion of the building, structure, addition or alteration is exempt from an education development charge.
- (5) An owner shall be exempt from education development charges if the owner is,**
- (a) a college of applied arts and technology established under the *Ontario Colleges of Applied Arts and Technology Act, 2002*, S.O. 2002, c. 8, Sched. F, as amended;
 - (b) a university that receives regular and ongoing operating funds from the Government of Ontario for the purposes of post-secondary education;
 - (c) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*, S.O. 2017, c. 34, Sched. 20, as amended.

Approvals for Development

5. Education development charges shall be imposed against all lands, buildings or structures undergoing residential development if the development requires one or more of the following:
- (a) the passing of a zoning by-law or of an amendment thereto under section 34 of the *Planning Act*;
 - (b) the approval of a minor variance under section 45 of the *Planning Act*;
 - (c) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
 - (d) the approval of a plan of subdivision under section 51 of the *Planning Act*;
 - (e) a consent under section 53 of the *Planning Act*;
 - (f) the approval of a description under the *Condominium Act, 1998*, S.O. 1998, c. C.19, as amended; or
 - (g) the issuing of a permit under the *Building Code Act, 1992*, S.O. 1992, C.23, as amended, in relation to a building or structure,

where the first building permit issued in relation to a building or structure for below ground or above ground construction is issued on or after the date this by-law comes into force.

6. In respect of a particular development or redevelopment an education development charge will be collected once, but this does not prevent the application of this by-law to future development or redevelopment on the same property.

Categories of Development and Uses of Land Subject to Education Development Charges

7. Subject to the provisions of this by-law, education development charges shall be imposed upon all categories of residential development.
8. Subject to the provisions of this by-law, education development charges shall be imposed upon all residential uses of land, buildings or structures.

PART II EDUCATION DEVELOPMENT CHARGES

Residential Education Development Charges

9. Subject to the provisions of this By-law, an education development charge per dwelling unit shall be imposed upon the designated categories of residential development and the designated residential uses of land, 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. The education development charge per dwelling unit shall be in the following amounts for the periods set out below:
 - (a) October 3, 2022 to October 2, 2023 - \$554.00; and,
 - (b) October 3, 2023 to October 2, 2027 - \$601.00.

Exemptions from Residential Education Development Charges

10. (1) In this section,
 - (a) “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;
 - (b) “other residential building” means a residential building not in another class of residential building described in this section;

- (c) “semi-detached or row dwelling” means a residential building consisting of one dwelling unit having one or two vertical walls, but no other parts, attached to another structure;
 - (d) “single detached dwelling” means a residential building consisting of one dwelling unit that is not attached to another building.
- (2) Subject to subsections (3) and (4), education development charges shall not be imposed with respect to,
 - (a) the enlargement of an existing dwelling unit that does not create an additional dwelling unit;
 - (b) the creation of one or two additional dwelling units in an existing single detached dwelling; or
 - (c) the creation of one additional dwelling unit in a semi-detached dwelling, a row dwelling, or any other residential building.
- (3) Notwithstanding clause (2)(b), education development charges shall be imposed in accordance with section 9 if the total gross floor area of the additional unit or two additional dwelling units exceeds the gross floor area of the existing single detached dwelling.
- (4) Notwithstanding clause (2)(c), education development charges shall be imposed in accordance with section 9 if the additional dwelling unit has a gross floor area greater than,
 - (a) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; or
 - (b) in the case of any other residential building, the gross floor area of the smallest dwelling unit already contained in the residential building.
- (5) For the purposes of this paragraph 10, an “additional dwelling unit” is a dwelling unit for which the application for the building permit for such additional dwelling unit is submitted no sooner than twelve (12) months after the earliest of the dates on which any of the following events occurs:
 - (a) the issuance of a certificate of occupancy for the dwelling unit already in the building;
 - (b) if no certificate of occupancy is issued by the City, the occupancy of the dwelling unit already in the building, as established by proper evidence of such occupancy; or,
 - (c) the delivery of the certificate of completion, pursuant to subsection 13(3) of the Ontario New Home Warranties Plan Act, R.S.O. 1990, c. O.31, for the dwelling unit already in the building.

11. (1) Education development charges under section 9 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 subsection (1), education development charges shall be imposed in accordance with section 9 if the building permit for the replacement dwelling unit is issued more than two (2) years after,
 - (a) the date the former dwelling unit was destroyed or became uninhabitable; or
 - (b) 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 subsection (1), education development charges shall be imposed in accordance with section 9 against any dwelling unit or units on the same site 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.

PART III ADMINISTRATION

Payment of Education Development Charges

12. The education development charge imposed under this By-law shall be calculated at the rate in effect at the time of issuance of the building permit and paid in full to the Treasurer of City, prior to the issuance of the building permit under the *Building Code Act, 1992*, S.O. 1992, c. 23 for any building or structure in connection with the development in respect of which the education development charge hereunder is payable. Notwithstanding this timing and calculation of payment, the amount of the future charge required to be paid may, in the discretion of the Board, be identified at the earliest of any of the triggering events set out in paragraphs 5 of this By-law.
13. The Treasurer of the Board shall establish and maintain an educational development charge account in accordance with the Act, the Regulation and this by-law. Withdrawals from the EDC account shall be made in accordance with the Act, the Regulation, and this By-law.

Payment by Services

14. Notwithstanding section 12, but subject to section 257.84 of the Act, the Board may, by agreement, permit an owner to provide land for pupil accommodation in lieu of the payment of all or a part of an education development charge. In such event, the Treasurer of the Board shall advise the Treasurer of the City of the amount of the credit to be applied to the education development charge.

Collection of Unpaid Education Development Charges

- 15. Section 349 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, 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

- 16. This by-law shall come into force on **October 3 2022**. On such date, the Algonquin and Lakeshore Catholic District School Board 2017 Education Development Charges By-Law (City of Kingston) shall be repealed.

Date By-Law Expires

- 17. This by-law shall expire on October 2, 2027, unless it is repealed at an earlier date.

Severability

- 18. 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

- 19. Nothing in this by-law shall be construed so as to commit or require the Board to authorize or proceed with any capital project at any time.

Short Title

- 20. This by-law may be cited as the Algonquin and Lakeshore Catholic District School Board 2022 Education Development Charges By-Law (City of Kingston).

ENACTED AND PASSED this 27th day of September, 2022.

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Chair

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Director of Education

APPENDIX C - DRAFT COUNTY EDC BY-LAW

A by-law for the imposition of education development charges in the southern portion of Lennox and Addington County

**ALGONQUIN AND LAKESHORE
CATHOLIC DISTRICT SCHOOL BOARD
EDUCATION DEVELOPMENT CHARGES
BY-LAW NO. 2022-●-●**

A by-law for the imposition of education development charges in the Southern Portion of the County of Lennox and Addington

WHEREAS subsection 257.54 (1) of the *Education Act* (the “**Act**”) provides that if there is residential development in the area of jurisdiction of a district school board that would increase education land costs, the district school 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, provided that the development requires one or more of the actions identified in subsection 257.54(2) of the Act;

AND WHEREAS subsection 257.54(4) of the Act provides that an education development charge by-law may apply to the entire jurisdiction of a district school board or only a part of it;

AND WHEREAS pursuant to section 257.57 of the Act and section 19 of Ontario Regulation 20/98, as amended, made under the Act, the area of jurisdiction of the Algonquin and Lakeshore Catholic District School Board (the “**Board**”) is divided into regions and the County of Lennox and Addington (the “**County**”) is one of the prescribed regions;

AND WHEREAS the Board has determined that residential development of land in the southern portion of the County (the portion of the County that includes the Town of Greater Napanee, the Township of Loyalist including Amherst Island, the Township of Stone Mills, and that portion of the Township of Addington Highlands south of Provincial Highway Number 7 (the “**Southern Portion of the County**”)) increases education land costs;

AND WHEREAS the Board has referred to the Minister of Education the following estimates with respect to the Southern Portion of the County for approval:

- (i) the total number of new elementary school pupils and new secondary school pupils; and

- (ii) the number of elementary school sites and secondary school sites used to determine the net education land costs;

which estimates the Minister of Education approved on ●, 2022 in accordance with section 10 of Ontario Regulation 20/98, as amended;

AND WHEREAS the estimated average numbers of elementary and secondary school pupils of the Board over the five years immediately following the day this by-law comes into force will exceed the total capacity of the Board to accommodate elementary and secondary school pupils throughout its jurisdiction on the day this by-law is passed;

AND WHEREAS the Board has given a copy of the education development charge background study relating to this by-law to the Minister of Education and to each school board having jurisdiction within the area to which this by-law applies;

AND WHEREAS the Board has given notice of and held a public meeting on September 13, 2022, in accordance with subsection 257.60(2) of the Act;

AND WHEREAS the Board has given notice of and held public meetings on September 13, 2022 and September 27, 2022, in accordance with subsection 257.63(1) of the Act;

AND WHEREAS the Board has permitted any person who attended the public meetings on September 13, 2022 and September 27, 2022 to make representations in respect of the proposed education development charges and by-law;

AND WHEREAS the Board has determined in accordance with subsection 257.63(3) of the Act that no additional public meeting is necessary in respect of this By-law;

NOW THEREFORE ALGONQUIN AND LAKESHORE CATHOLIC DISTRICT SCHOOL BOARD HEREBY ENACTS AS FOLLOWS:

PART I APPLICATION

Defined Terms

1. 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 Algonquin and Lakeshore Catholic District School Board;

- (c) “County” means the upper-tier municipality of County of Lennox and Addington and each of the lower-tier municipalities that form a part thereof;
- (d) “development” includes redevelopment;
- (e) “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 townhouse and townhouse;
- (f) “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).

but not:

 - (vi) costs of any building to be used to provide pupil accommodation; or
 - (vii) costs that are prescribed in the Regulation as costs that are not education land costs.
- (g) “education development charge” means charges imposed pursuant to this by-law in accordance with the Act;
- (h) “local board” means a local board as defined in the *Municipal Affairs Act*, R.S.O. 1990, c. M.46, as amended, other than a board defined in subsection 257.53(1) of the Act;
- (i) “mixed use” means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential uses;
- (j) “*Planning Act*” means the Planning Act, R.S.O. 1990, c. P.13, as amended;
- (k) “Regulation” means Ontario Regulation 20/98, as amended, made under the Act;
- (l) “residential development” means lands, buildings or structures developed or to be developed for residential use;

- (m) “residential use” means lands, buildings or structures used, or designed or intended for use as a dwelling unit or units, and shall include a residential use accessory to a non-residential use and the residential component of a mixed use or agricultural use;
 - (n) “Southern Portion of the County” means the portion of the County that includes the Town of Greater Napanee, the Township of Loyalist including Amherst Island, the Township of Stone Mills, and the Township of Addington Highlands south of Provincial Highway Number 7).
2. In this by-law where reference is made to a statute, a section of a statute or regulation, such reference is deemed to be a reference to any successor statute, section or regulation.
 3. Unless otherwise expressly provided in this by-law, items defined in the Act or the Regulation shall have the same meaning in this by-law.

Lands Affected

4. (1) Subject to subsection 4(2), this by-law applies to all lands in the Southern Portion of the County.
- (2) This by-law shall not apply to lands that are owned by and are used for the purposes of:
 - (a) the County or a local board thereof;
 - (b) a board as defined in subsection 257.53(1) of the Act;
 - (c) the Crown in right of Ontario or the Crown in right of Canada; or
 - (d) a public hospital receiving aid under the *Public Hospitals Act*, R.S.O. 1990, c.P.40; or
 - (e) Metrolinx.
- (3) Subject to subsection 4(4), an owner shall be exempt from education development charges if a development on its lands would construct, erect, or place a building or structure, or make an addition or alteration to a building or structure for one of the following purposes:
 - (g) a private school;
 - (h) a long-term care home, as defined in the *Long-Term Care Homes Act, 2007*, S.O. 2007, c. 8, as amended;
 - (i) a retirement home, as defined in the *Retirement Homes Act, 2010*, S.O. 2010, c. 11, as amended;
 - (j) a hospice or other facility that provides palliative care services;
 - (k) a child care centre, as defined in the *Child Care and Early Years Act, 2014*, S.O. 2014, c. 11, Sched. 1, as amended; or
 - (l) a memorial home, clubhouse or athletic grounds owned by the Royal Canadian Legion.

- (4) If only a portion of a building or structure, or an addition or alteration to a building or structure, referred to in paragraph 4(3) will be used for a purpose identified in that paragraph, only that portion of the building, structure, addition or alteration is exempt from an education development charge.
- (5) An owner shall be exempt from education development charges if the owner is,
 - (a) a college of applied arts and technology established under the *Ontario Colleges of Applied Arts and Technology Act, 2002*, S.O. 2002, c. 8, Sched. F, as amended;
 - (b) a university that receives regular and ongoing operating funds from the Government of Ontario for the purposes of post-secondary education;
 - (c) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*, S.O. 2017, c. 34, Sched. 20, as amended.

Approvals for Development

- 5. Education development charges shall be imposed against all lands, buildings or structures undergoing residential development if the development requires one or more of the following:
 - (a) the passing of a zoning by-law or of an amendment thereto under section 34 of the *Planning Act*;
 - (b) the approval of a minor variance under section 45 of the *Planning Act*;
 - (c) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
 - (d) the approval of a plan of subdivision under section 51 of the *Planning Act*;
 - (e) a consent under section 53 of the *Planning Act*;
 - (f) the approval of a description under the *Condominium Act, 1998*, S.O. 1998, c. C.19, as amended; or
 - (g) the issuing of a permit under the *Building Code Act, 1992*, S.O. 1992, C.23, as amended, in relation to a building or structure,

where the first building permit issued in relation to a building or structure for below ground or above ground construction is issued on or after the date this by-law comes into force.

- 6. In respect of a particular development or redevelopment an education development charge will be collected once, but this does not prevent the application of this by-law to future development or redevelopment on the same property.

Categories of Development and Uses of Land Subject to Education Development Charges

7. Subject to the provisions of this by-law, education development charges shall be imposed upon all categories of residential development.
8. Subject to the provisions of this by-law, education development charges shall be imposed upon all residential uses of land, buildings or structures.

PART II EDUCATION DEVELOPMENT CHARGES

Residential Education Development Charges

9. Subject to the provisions of this By-law, an education development charge per dwelling unit shall be imposed upon the designated categories of residential development and the designated residential uses of land, 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. The education development charge per dwelling unit shall be in the following amounts for the periods set out below:
- (a) October 3, 2022 to October 2, 2023 - \$300.00;
 - (b) October 3, 2023 to October 2, 2024 - \$600.00; and
 - (c) October 3, 2024 to October 2, 2027 - \$696.00.

Exemptions from Residential Education Development Charges

10. (1) In this section,
- (a) “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;
 - (b) “other residential building” means a residential building not in another class of residential building described in this section;
 - (c) “semi-detached or row dwelling” means a residential building consisting of one dwelling unit having one or two vertical walls, but no other parts, attached to another structure;
 - (d) “single detached dwelling” means a residential building consisting of one dwelling unit that is not attached to another building.
- (2) Subject to subsections (3) and (4), education development charges shall not be imposed with respect to,

- (a) the enlargement of an existing dwelling unit that does not create an additional dwelling unit;
 - (b) the creation of one or two additional dwelling units in an existing single detached dwelling; or
 - (c) the creation of one additional dwelling unit in a semi-detached dwelling, a row dwelling, or any other residential building.
- (3) Notwithstanding clause (2)(b), education development charges shall be imposed in accordance with section 9 if the total gross floor area of the additional unit or two additional dwelling units exceeds the gross floor area of the existing single detached dwelling.
- (4) Notwithstanding clause (2)(c), education development charges shall be imposed in accordance with section 9 if the additional dwelling unit has a gross floor area greater than,
- (a) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; or
 - (b) in the case of any other residential building, the gross floor area of the smallest dwelling unit already contained in the residential building.
- (5) For the purposes of this paragraph 10, an “additional dwelling unit” is a dwelling unit for which the application for the building permit for such additional dwelling unit is submitted no sooner than twelve (12) months after the earliest of the dates on which any of the following events occurs:
- (a) the issuance of a certificate of occupancy for the dwelling unit already in the building;
 - (b) if no certificate of occupancy is issued by the lower-tier municipality, the occupancy of the dwelling unit already in the building, as established by proper evidence of such occupancy; or,
 - (c) the delivery of the certificate of completion, pursuant to subsection 13(3) of the Ontario New Home Warranties Plan Act, R.S.O. 1990, c. O.31, for the dwelling unit already in the building.
11. (1) Education development charges under section 9 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 subsection (1), education development charges shall be imposed in accordance with section 9 if the building permit for the replacement dwelling unit is issued more than two (2) years after,
- (a) the date the former dwelling unit was destroyed or became uninhabitable; or

- (b) 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 subsection (1), education development charges shall be imposed in accordance with section 9 against any dwelling unit or units on the same site 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.

PART III ADMINISTRATION

Payment of Education Development Charges

- 12. The education development charge imposed under this By-law shall be calculated at the rate in effect at the time of issuance of the building permit and paid in full to the Treasurer of the lower-tier municipality in which the land is located, prior to the issuance of the building permit under the *Building Code Act, 1992*, S.O. 1992, c. 23 for any building or structure in connection with the development in respect of which the education development charge hereunder is payable. Notwithstanding this timing and calculation of payment, the amount of the future charge required to be paid may, in the discretion of the Board, be identified at the earliest of any of the triggering events set out in paragraphs 5 of this By-law.
- 13. The Treasurer of the Board shall establish and maintain an educational development charge account in accordance with the Act, the Regulation and this by-law. Withdrawals from the EDC account shall be made in accordance with the Act, the Regulation, and this By-law.

Payment by Services

- 14. Notwithstanding section 12, but subject to section 257.84 of the Act, the Board may, by agreement, permit an owner to provide land for pupil accommodation in lieu of the payment of all or a part of an education development charge. In such event, the Treasurer of the Board shall advise the Treasurer of the lower-tier municipality of the amount of the credit to be applied to the education development charge.

Collection of Unpaid Education Development Charges

- 15. Section 349 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, 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

- 16. This by-law shall come into force on October 3 2022.

Date By-Law Expires

- 17. This by-law shall expire on October 2, 2027, unless it is repealed at an earlier date.

Severability

18. 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

19. Nothing in this by-law shall be construed so as to commit or require the Board to authorize or proceed with any capital project at any time.

Short Title

20. This by-law may be cited as the Algonquin and Lakeshore Catholic District School Board 2022 Education Development Charges By-Law (Southern Portion of the County of Lennox and Addington).

ENACTED AND PASSED this 27th day of September, 2022.

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Chair

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Director of Education

APPENDIX D - DOCUMENT PERTAINING TO A REVIEW OF THE EDC POLICIES OF THE ALGONQUIN and LAKESHORE CATHOLIC DSB

The policy review document outlined herein is intended to provide the reader with an overview of the education development charge policies underlying the existing 2017 EDC by-law of the Algonquin and Lakeshore Catholic DSB pursuant to Section 257.60, Division E, of the *Education Act*, as follows:

“Before passing an education development charge by-law, the board shall conduct a review of the education development charge policies of the board.”

Moreover, the Board is required to:

1. Ensure that adequate information is made available to the public (i.e. this document); and
2. Hold at least one public meeting, with appropriate notification of the meeting.

Post the adoption of the Board’s 2017 EDC by-law, the enactment of O. Reg. 438/18 eliminated several EDC policies and instead, made provisions for the consideration of ‘Alternative Projects’ and ‘Localized Education Development Agreements’.

D.1 ALCDSB Existing EDC By-law in the City of Kingston

The Algonquin and Lakeshore Catholic DSB adopted and implemented EDC by-laws governing the entire City of Kingston in 2002, 2007, 2012 and again in 2017. The Board’s 2017 by-law was adopted on October 10, 2017 with implementation of the approved charges on October 15, 2017. The Board held two public meetings (including consideration of by-law adoption) as part of the 2017 EDC consultation process.

In accordance with the legislation, ALCDSB EDC by-law may be in effect for no more than 5 years and will expire no later than October 15, 2022.

D.2 Overview of EDC Policies

This section of the report provides an overview of the key education development charge policy issues that will be dealt with under the Board’s proposed EDC by-law. The Board of Trustees, after considering public input, will make decisions on some of these policy issues prior to passage of the new EDC by-law anticipated to occur in September, 2022.

The policy decisions to be considered by the Board of Trustees, prior to by-law adoption, are as follows:

1. What portion of the net education land costs are to be recovered from residential and non-residential (e.g. industrial, commercial and institutional) development?
2. Are the charges to be applied on an area-specific or jurisdiction-wide basis?

3. Does the Board wish to exempt any residential or non-residential development? If so, how does the Board propose to fund the shortfall?
4. Does the Board wish to provide any demolition or conversion credits beyond that specified in the legislation?
5. What by-law term is proposed by the Board; five years, or something less?
6. What level of EDC charge does the Board wish to impose, given that the Board is entitled to recover less than 100% of the net education land costs?
7. Does the Board anticipate asking the Minister of Education to approve any ‘Alternative Projects’ or any ‘Localized Education Development Agreements’?
8. Does the Board propose to enact any additional EDC by-laws within the Board’s jurisdiction, that would require the Minister’s permission to spend EDC funds collected in one by-law area and spend the funds in another?

D.2.1 Percentage of Growth-Related Net Education Land Costs to be Borne through EDCs

Changes to the legislation, post the adoption of the Board’s 2017 EDC by-law, have established a ‘legislative cap’ on the residential and non-residential EDC rate that can be imposed under an EDC by-law. Annual residential EDC rate increases are limited to the greater of 5% or \$300 more than the most recent by-law-imposed rate. Annual non-residential rate increases are limited to the greater of 5% and \$0.10 per square foot added to the most recent by-law-imposed rate.

In addition, O. Reg. 20/98 section 7 paragraphs 9 (iii) and 11 (ii) restricts a board to a maximum of 100% recovery of the “net” growth-related education land costs from residential and non-residential development.

Under the current capital funding model, a school board must seek Ministerial approval to acquire land and to construct ant pupil places that would serve to accommodate increased enrolment generated by new housing development. In deriving “net” growth-related education land costs, there are several impediments to full cost recovery:

- there are no existing funding sources to pay for growth-related net education land costs that are not recovered through the imposition of education development charges, as a result of higher than projected costs and the ‘legislative cap’;
- non-statutory exemptions granted by a school board, restrict full cost recovery;
- the cost to provide land for pupils generated by statutorily-exempt residential development has no funding source – would require a funding request to the Ministry of Education to address any shortfall and for which there is no current funding source;
- additional statutory exemptions have been added to the EDC legislation since 2018. Additional exemptions for secondary dwelling units may generate additional students, for which no EDC charge can be applied,

- there are restrictions on the number of acres of land that a board can fund through an EDC by-law. Zoning requirements, site plan controls and changes to program offering (e.g. child care within schools increasing parking requirements, the provision of full-day kindergarten, etc.) make it more difficult to meet all of these legislative and regulatory needs and still provide adequate outdoor space for students;
- the determination of growth-related site needs is based on On-the-Ground (OTG) capacity (an assessment of classroom loading), which may not reflect the functional capacity of classroom use from a program perspective. For example, secondary classrooms are loading at 23 students per classroom, only for the purposes of determining growth-related site needs.

All Boards with EDC by-laws in place, have calculated their EDC rates to derive 100% cost recovery of the “net” education land costs, however, some have reduced this level by granting at least some limited non-statutory exemptions (i.e., primarily non-residential exemptions), and a number of EDC boards are experiencing significant EDC funding shortfalls due to the ‘legislative cap’.

Considerations:

One of the most significant considerations in the legislative treatment of education development charges is that there is no tax-based funding source to make up the shortfall where full cost recovery is not achieved. Legal advisors are typically of the opinion that granting non-statutory exemptions during by-law adoption forces the board to absorb the loss of revenue associated with granting the exemptions. Many of the revenue sources under the existing education capital funding model are “enveloped” and are therefore not available to be used for purposes other than that for which they were legislatively intended. Finally, Ministry staff have advised that there are no other funding sources (e.g. Land Priorities) available to a school board where the imposition of EDCs results in less than full cost recovery.

The ALCDSB’s 2017 EDC by-law recovers 100% of the net education land costs from residential development within the City of Kingston.

D.2.2 Jurisdiction-wide vs. Area Municipal (or Sub-area) Charges

Existing EDC By-law Provisions:

The existing “in force” ALCDSB EDC by-law is applied on a sub-area basis. The rationale for this decision is primarily based on the premise that the Board’s growth-related needs at the time the 2017 EDC by-law was adopted, were based on the need for an additional elementary school in the Kingston West development area, where the proposed catchment area was contained within the City of Kingston.

Money from an education development charges account may be used only for growth-related net education land costs attributed to or resulting from development in the area to which the education development charge by-law applies (section 16 (2a) of O. Reg 20/98). Therefore, monies collected in one by-law area could not be spent outside of that by-law area.

Public Input Received with Respect to this Policy:

None in 2017.

Legislative Provisions:

Section 257.54 sub section (4) allows for area specific EDC by-laws by providing that “an education development charge by-law may apply to the entire area of jurisdiction of a board or only part of it.”

Further, the *Education Act* permits a board to have more than one EDC by-law under section 257.54 subsection (1) in that “If there is residential development in the area of 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.”

Finally, section 257.59(c) of the *Education Act* requires that “an education development charge by-law shall...designate those areas in which an education development charge shall be imposed”.

Considerations:

Under the Regulatory framework, a board must establish a separate EDC account for each by-law that it enacts and may only use the funds to pay for growth-related net education land costs (and the other “eligible” land costs defined under the Act) in that area (which may comprise a ‘region’ of a board as defined under O. Reg. 20/98). The entire approach outlined in the legislation, and governing the determination of education development charges, requires that the calculation of the charge, the preparation of background studies, the establishment of EDC accounts and the expenditure of those funds, etc., is to be done on an individual by-law basis.

The jurisdiction of the ALCDSB includes five separate ‘regions’:

1. The local municipality of South Algonquin
2. The geographic area of the Frontenac Management Board and the local municipality of Kingston
3. The upper-tier municipality of Hastings, the local municipalities of Belleville and Quinte West
4. The upper-tier municipality of Lennox and Addington
5. The local municipality of the County of Prince Edward

From a methodological perspective, an EDC-eligible board is required to make assumptions respecting the geographic structure of the by-law or by-laws from the onset of the calculation process. Discussions respecting the number of potential by-laws and the subdivision of the Board’s jurisdictions into Review Areas are held with the Board at the commencement of the study process. If, as a result of the consultation process undertaken in contemplation of the adoption of an EDC by-law or by-laws, the Board chooses a different policy direction, it is usually advised by legal counsel that a new background study is required, and the calculation/public consultation process begins anew.

Several of the key considerations in assessing the appropriateness of area specific versus uniform application of education development charges are as follows:

- Subject to the requirement to have regard for multiple ‘regions’ within a board’s jurisdiction, the use of a uniform jurisdiction-wide EDC is consistent with the approach used to fund education costs under the Provincial funding model (i.e. the same per pupil funding throughout the province);
- Uniform by-law structures are more consistent with the implementation of a board’s capital program (i.e., decisions respecting capital priorities) and are more consistent with board philosophies of equal access to all school facilities for pupils;
- School attendance boundaries have, and will continue to shift over time, as boards deal with a dynamic accommodation environment and the need to make efficient use of limited capital resources, particularly given that they are dealing with aging infrastructure, demographic shifts and changing curriculum and program requirements;
- Where the pace of housing development generates the need for a school site over a longer period of time, there is a need to temporarily house pupils in alternate accommodation; which consumes the asset lifecycle of the “hosting” facility, even if pupils are accommodated in portable structures;
- District school boards have a statutory obligation to accommodate all resident pupils and as such, pay less attention to municipal boundaries as the basis for determining by-law structure;
- A board must establish a separate EDC account for each by-law and may only use the funds to pay for growth-related net education land costs in that by-law area;
- In a situation where pupils are accommodated in a by-law area other than their place of residence, there is the potential for stranded funds and the *Education Act* does not address this type of circumstance.

Jurisdiction-wide application of the charge assists in minimizing the risk of less-than-full cost recovery, especially where attendance boundaries and accommodation strategies change over time.

Where it is determined that stranding of EDC funds is not likely to occur over the by-law term, and an area specific by-law is adopted by the board, careful monitoring would be required on an on-going basis to ensure that the board does not subsequently find itself in a position where it was unable to fully fund growth-related site needs over the longer term. Where this situation has the potential to occur, a new by-law structure should be considered by the board as soon as possible, because there is no ability to make up the funding shortfall once building permits are issued;

- The ability to utilize EDC funds for capital borrowing purposes under an area specific by-law scheme is limited to borrowing for cash flow purposes only (i.e., revenue shortfalls), due to the inability, under the existing legislation, to recover net education land costs sufficient to repay the “borrowed” area;
- Multiple EDC accounts under a multiple by-law approach restrict the flexibility required to match the timing and location of site needs to available revenue sources and may compromise the timing of new school construction and increase financing costs;

- Multiple by-laws can give consideration to different patterns and levels of development (including composition of dwelling units) in that they incorporate variable rates throughout the region. The appropriateness of utilizing area specific by-laws to reflect economic diversity within a jurisdiction, should, however, be measured in the context of measurable potential market or development impact, particularly as the differential between land values in one area versus another continues to increase;
- The precedent for levying uniform municipal development charges for “soft services” (e.g., recreation, library) is well established, and is currently used in existing DC by-laws by virtually all municipalities. As well, infill dwelling units pay the same development charge for these services as new units in the major growth areas, despite the availability of existing facilities. The cost averaging approach underlying jurisdiction-wide by-laws has the ability to mitigate the impact on new house prices;
- While today there are few area-specific EDC by-laws in the Province of Ontario, those that have been adopted or proposed, reflect areas where there is little or no expectation of cross-boundary attendance, between ‘regions’.

D.2.3 Non-Statutory Residential Exemptions

Legislative Provisions:

Under the legislation, residential statutory exemptions include:

- The enlargement of an existing dwelling unit (s.257.54(3)(a)).
- The addition of one or two units to an existing residential building where the addition is within prescribed limits (s.257.54(3)(b), O. Reg. 20/98 s.3).
- The replacement dwelling on the same site as a dwelling unit that was destroyed (or rendered uninhabitable) by fire, demolition or otherwise, where the building permit for the replacement dwelling is issued two years or less after the later of the date on which the former dwelling unit was destroyed or became uninhabitable, or a demolition permit was issued (O. Reg. 20/98 Section (4)).

It is important to note, that in enacting more recent legislative changes to education development charges, no provisions were added to specifically exempt certain forms of secondary dwelling units, as is the case for municipal development charges.

In addition, section.7.1 of O. Reg. 20/98 provides that, “The board shall 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 board intends to have the by-law come into force. The board’s estimate shall include only new dwelling units in respect of which education development charges may be imposed.”

Accordingly, any costs related to students generated from units which are statutorily exempt are not recoverable from EDCs.

Section 7 paragraph (9) of O. Reg. 20/98 states that, “the board shall determine charges on residential development subject to the following:

1. the charges shall be expressed as a rate per new dwelling unit,
2. the rate shall be the same throughout the area in which charges are to be imposed under the by-law, ...”
3. the rate times the estimated residential development in the area cannot exceed the net education land costs that are to be funded from residential development.

Despite this, a board may impose different charges on different types of residential development (differentiated residential EDC rates), based on the percentage of the growth-related net education land costs to be applied to residential development that is to be funded by each type. The restrictions noted above would also apply in the case of differentiated residential EDC rates.

Considerations:

Some types of units may initially generate limited (if any) pupils (e.g., bungalow townhouses, small apartments, adult lifestyle, recreational units), although "need for service" is not a requirement of education development charges under Division E of the *Education Act*. There is precedent to levy education costs on these types of units, since residential taxpayers contribute to education costs whether or not they use education services. Further, there is no legislative ability under the *Building Code Act* to restrict the number of occupants in a dwelling unit either at the time of initial occupancy, or subsequent re-occupation.

There would appear to be two options under the EDC legislation for dealing with variations in school age population per household, over time. However, neither solution is simple in real practice.

The first alternative is to provide an exemption for a particular type of dwelling unit. However, any exempt category must be definable such that a reasonable 15-year projection can be made, and a physical description can be included in the EDC by-law, such that building officials can readily define exempt units (e.g., seniors' housing receiving Provincial assistance would be definable, whereas market housing being marketed to seniors would be very difficult to project and define, since it could be claimed by any development). Also, occupancy status could change over time. In addition, school boards deal with a variety of municipal zoning definitions within their jurisdiction and it is extremely difficult to be consistent with all municipal DC by-law implementation practices concurrently.

While the Province has recently expanded the exemptions from municipal development charges for secondary dwelling units, exempting these units from the payment of education development charges would require a funding allocation from the Ministry of Education to make up the shortfall.

The second alternative would be to differentiate the residential charge by type to establish a lower EDC rate for dwelling units that would typically be occupied by fewer school age children per household. However, the same unit type (e.g., single detached), with the same number of bedrooms, or square footage, could exhibit vastly different school age occupancies. The same difficulties

prevail in trying to define a unit type that segregates various levels of school occupancy that is definable and can be easily implemented under by-law application. Finally, as noted earlier, there is no legislative ability to restrict the level of occupancy, and occupancy status could change over time.

However, even where the policy decision is not to differentiate the residential charge, the projections of enrolment are usually designed to consider the lower pupil generation of smaller units, which is applied to the number of units in the dwelling unit forecast expected to be households without children. Therefore, non-differentiated residential rates represent averages for all types of units which give consideration to the variation in school age population per household.

To date, no board has exempted any form of non-statutory residential unit in an in-force EDC by-law that the consultants are aware of.

Existing EDC by-law Provisions:

Currently, there are no by-law exemptions given for units that are marketed as “purpose-built for-profit seniors’ housing” or for affordable housing projects. The determination of pupils generated by new development does, however, take into consideration the minimal occupancy of adult lifestyle units by school age children.

1. Under the legislative provisions dealing with housing intensification as part of the *Education Act*, a portion of the forecasted medium density dwelling units are currently estimated to be exempt from the payment of EDCs. As such, the charge is spread over the ‘net’ new units.
2. Historical data regarding school age children per household, which represents an “average” of all household occupancies, is a significant component of the projected elementary and secondary enrolment.
3. The EDC pupil yield analysis assesses changing occupancy of dwelling units over a 15-year historical period and uses this information to modify the future expectations of the number of school age children per household.

D.2.4 Non-Statutory Non-residential Exemptions

Legislative Provisions:

Non-residential statutory exemptions include:

- land owned by, and used for the purposes of, a board or a municipality
- the construction or erection of any building or structure, or addition/alteration to a building or structure¹ in the case of:
 - a. private schools, the owner of a college of applied arts and technology established under the *Ontario Colleges of Applied Arts and Technology Act, 2002*

¹ If only a portion of the building or structure is to be used for the any of the purposes listed below, only that portion of the building, structure, addition or alteration is exempt from an education development charge.

- b. a long-term care home, as defined in the *Long-Term Care Homes Act, 2007*
 - c. a retirement home as defined in the *Retirement Homes Act, 2010*
 - d. a hospice or other facility that provides palliative care services
 - e. a child care centre, as defined in the *Child Care and Early Years Act, 2014*
 - f. a memorial homes, clubhouse or athletic grounds owned by the Royal Canadian Legion
- a university that receives regular and ongoing operating funds from the Government of Ontario for the purposes of post-secondary education
 - the owner of an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*
 - expansions to industrial buildings (gross floor area)
 - replacement, on the same site, of a non-residential building that was destroyed by fire, demolition or otherwise, so as to render it unusable and provided that the building permit for the replacement building was issued less than 5 years after the date the building became unusable or the date the demolition permit was issued

Section 7 paragraph (11) of O. Reg. 20/98 states that “if charges are to be imposed on non-residential development ... the charges shall be expressed as ...”

- a) a rate to be applied to the board-determined gross floor area of the development.

Considerations:

If a board elects not to have a non-residential charge, then non-statutory, non-residential exemptions is not an issue.

However, there is no funding source currently available under the current funding model to absorb the cost of providing non-statutory exemptions. In addition, by-law administration and collection of the charge, and the ability to treat all development applications in a fair and equitable manner, are complicated by the granting of non-statutory exemptions.

A 2007 legal opinion, sought on this matter by the consultant, suggests that a school board must absorb the cost of exemptions voluntarily granted by the board to any non-statutory non-residential development (i.e., the board would not be in a position to make up the lost revenue by increasing the charge on the other non-exempt non-residential development under the legislation).

Existing EDC By-law Provisions:

The ALCDSB’s existing “in-force” EDC by-law applies to residential development only. The Board will have the ability to revisit this policy decision as part of the successor by-law renewal process.

D.2.5 Demolition and Conversion Credits

Legislative Provisions:

Section 4 of O. Reg 20/98 prescribes a replacement dwelling unit exemption.

Section 4 states that “a board shall exempt an owner 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.”

However, “a board is not required to exempt an owner if the building permit for the replacement dwelling unit is issued more than two years after,

- a) the date the former dwelling unit was destroyed or became uninhabitable; or
- b) 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.”

Section 5 of O. Reg. 20/98 deals with exemptions for the replacement of non-residential buildings. Similar provisions apply with respect to the replacement of non-residential gross floor area (GFA), except that the credit is only applied to the extent that the amount of new floor space is equivalent to the GFA of the floor space being replaced. The legislative grace period for the replacement of non-residential GFA is five years.

There are no legislative provisions specifically dealing with conversion of use. Typically, this situation would arise if an EDC is paid for one type of development and shortly thereafter (the period of time defined in the board’s EDC by-law), the land is rezoned and a new building permit issued for redevelopment (to an alternate land use). EDC by-laws may include provisions for providing credits in this situation to take into account the EDC amount paid on the original development (generally by offsetting the EDC amount payable on the redevelopment).” The 2017 ALCDSB EDC by-law does not provide a credit equal to the amount of the charge originally paid on the space that is being converted.

D.2.6 % of Net Education Land Costs to be borne by Residential and Non-residential Development

Legislative Provisions:

Section 257.54(1) of the *Education Act* provides that a board may pass an EDC by-law “against land in its area of jurisdiction undergoing residential or non-residential development,” if residential development in the board’s jurisdiction would increase education land costs.

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

A board has the choice under the *Education Act*, of levying an EDC only on residential development (for partial or full eligible cost recovery), or levying a charge on both residential and non-residential development (up to a maximum of 40% of costs allocated to non-residential development). Under the previous EDC section of the DCA legislation, a charge on non-residential development (then termed “commercial” development) was required. However, the ‘legislative cap’ places a restriction on the Board’s ability to choose a residential/non-residential share and still ensure that the net education land costs associated with each component are not exceeded.

Considerations:

For most of the current EDC by-laws, 10-15% of net growth-related education costs were funded by non-residential development. This percentage was specifically requested by a majority of the development community stakeholders during the public consultation process, particularly where the quantum of the residential charge is higher than the norm.

There are limited options for funding education land costs under the province’s new capital funding model. All boards eligible to impose education development charges will seek to attain full cost recovery (100%) under EDCs, which is likely unattainable in many cases. A non-residential EDC is not a mandatory requirement of the *Education Act* and therefore boards may elect to recover 100% of costs from residential development.

The major advantages of allocating 100% of net education land costs to residential development are as follows:

- Reduction of risk to the board in not achieving full revenue recovery, as demand for new pupil places will increase directly with the level of residential growth; non-residential floor area is difficult to forecast over 15 years (particularly on an area-specific basis), and a downturn in non-residential growth would leave the board with an EDC revenue shortfall (with limited available funding sources to make up the differential);
- There are a number of additional non-residential categories and uses that have been added to the legislation as statutorily-exempt. For many of these, there are no reliable data sources available to a school board to accurately forecast what spaces would be exempted by the legislation;
- Simplified EDC process and by-law, eliminating the need to deal with a range of requests for exemptions, and redevelopment credits;
- Establishment of a more direct linkage to the need for the service (i.e., pupils generated by new residential development) and the funding of that service, similar to municipal development charges (although not legislatively required by the *Education Act*), although it is widely accepted by planning practitioners that employment growth drives housing growth;
- The difficulties in administering/collecting even a nominal non-residential charge and interpretation of by-law applicability vis-a-vis municipal DC by-law definitions of gross floor area, zoning provisions, etc.

The major disadvantages of allocating 100% of net education land costs to residential development are as follows:

- Increases the residential charge;
- A downturn in residential growth due to changing economic conditions will have a negative impact on EDC cash flow and the ability to manage account deficits;
- Potential impact on the residential development market, due to a higher residential EDC bearing 100% of the net education land costs;
- May be opposed by the development community which strongly supported the 85-90% residential and 10-15% non-residential division of costs under the current EDC by-laws;
- The precedent of eliminating the non-residential charge in one by-law period may make it difficult to reverse the decision and have a non-residential charge in a subsequent by-law period;
- Eliminating the non-residential charge reduces the breadth of the board’s overall EDC funding base, which may be particularly significant if there are large commercial/industrial developments in future.

D.2.7 By-law Term

Legislative Provisions:

The *Education Act* permits a school board to pass an EDC by-law with a maximum term of five years (s.257.58 (1)).

A board with an EDC by-law in force, may pass a new EDC by-law at any time, after preparing a new education development charge study, securing the Minister of Education’s approval, and undertaking the required public process (s.257.58(2)).

A board may amend an EDC by-law once in each one-year period following by-law enactment, to do any of the following:

- “1. Increase the amount of an education development charge that will be payable in any particular case.
2. Remove, or reduce the scope of, an exemption.
3. Extend the term of the by-law.” (s.257.70(2) and subject to s.257.58(1))

A public meeting is not required for a by-law amendment; however, the board must give notice of the proposed amendment, in accordance with the regulations, and make available to the public, the EDC background study for the by-law being amended, and “sufficient information to allow the public to generally understand the proposed amendment.” (s.257.72)

Considerations:

A five-year term provides the maximum flexibility since a board has the power to amend the by-law or pass a new by-law at an earlier point, if necessary.

The level of effort required to emplace a new by-law (e.g., production of an EDC background study, involvement in an extensive consultation process with the public and liaison process with municipalities) would suggest that a longer term (maximum five years) by-law is more desirable.

D.2.8 Alternative Projects (A lower Cost Alternative to Site Acquisition)

Section 257.53.1 of the *Education Act* provides an opportunity for a school board to seek Ministry approval to allocate EDC revenue towards an alternative project. An alternative project must have an associated cost that is less than the cost to acquire a site, and is expected to lower EDC rates.

Examples of alternative projects include:

- Alternative parking arrangements such as underground parking garages or offsite parking;
- Additional construction costs attributed to vertical construction;
- Purpose built space within a larger development;
- Alternative play area enhancements; and
- Pedestrian access improvements.

If, as part of solidifying the elements of the alternative project, a change to the alternative project is proposed, the board must notify the Minister and seek renewed approval within the timelines prescribed in section 8 of O. Reg. 20/98.

Typically, alternative projects would be considered as a cost-effective site acquisition solution where land costs are prohibitive due to the residential density proposed (i.e. intensified land uses).

D.2.9 Localized Education Development Agreements (LEDAs)

A Localized Education Development Agreement (LEDA) is a Minister approved alternative to the traditional EDC revenue supported purchase of land for pupil accommodation. This provides more flexibility to EDC eligible school boards where a developer may provide sites.

A LEDA is an agreement between a school board and an owner, such as a developer, in which the owner provides a means for pupil accommodation or other benefit to be used to provide pupil accommodation. In exchange, the geographical area that the LEDA will service will be exempt from the collection of EDCs.

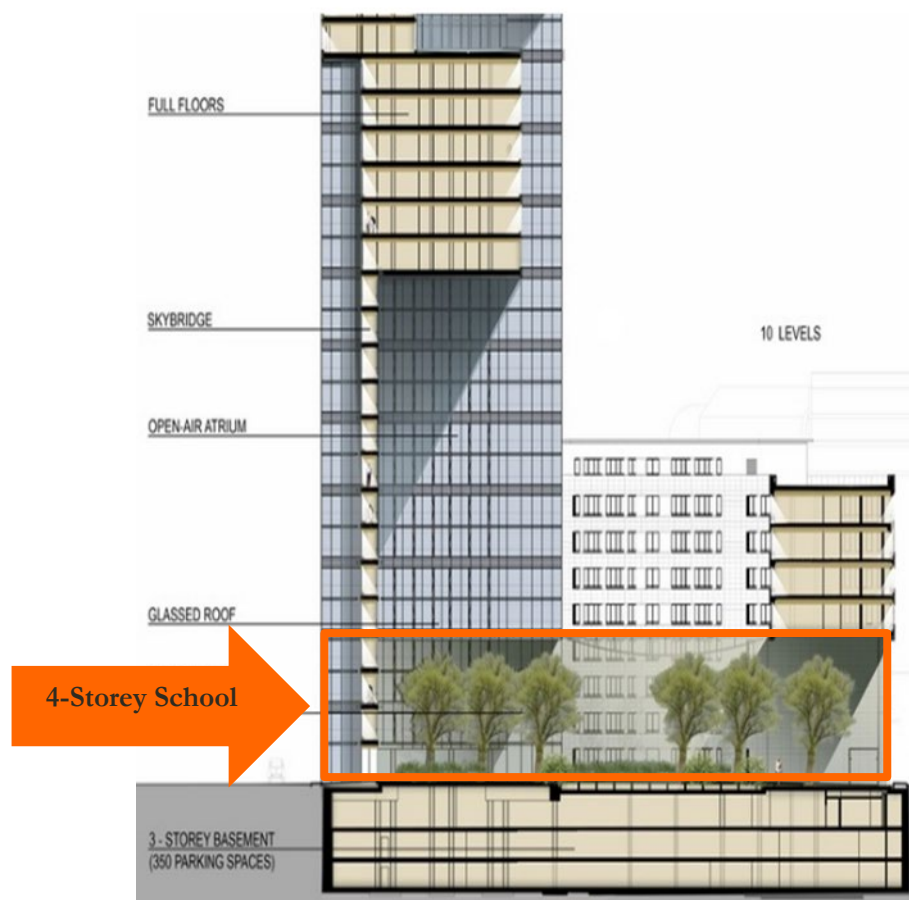
School boards are expected to consult with co-terminus boards when developing a LEDA to determine if a joint project is feasible.

Examples of Localized Education Development Agreements Examples of LEDAs include but are not limited to:

- Providing access to land (either through a long-term lease or gift);

- Owner constructs and provides facilities (e.g. podium builds). This could result in many different types of agreements including:
 - Owner provides podium space only in a condo building. Ministry provides funding through the Capital Priorities Grant program to support the construction of the school. Any cost over and above the benchmark would be provided by owner; and
 - Owner provides podium space and funds to construct a new school within a podium.

Example of a podium school:



D.3 Summary of By-law Appeals, Amendments and Complaints

D.3.1 Appeals

Under Section 257.65 of the *Education Act*, “any person or organization may appeal an education development charge by-law to the Ontario Municipal Board by filing with the secretary of the board that passed the by-law, a notice of appeal setting out the objection to the by-law and the reasons supporting the objection.”

There were no appeals of the 2017 ALCDSB EDC by-law.

D.3.2 Amendments

Legislative Provisions:

Section 257.70 subsection (1) states that “subject to subsection (2), a board may pass a by-law amending an education development charge by-law.” Subsection (2) goes on to say that, “a board may not amend an education development charge by-law so as to do any one of the following more than once in the one-year period immediately following the coming into force of the by-law or in any succeeding one-year period:

1. Increase the amount of an education development charge that will be payable in any particular case.
2. Remove, or reduce the scope of, an exemption.
3. Extend the term of the by-law.”

Section 257.71 states that “A by-law amending an education development charge by-law comes into force on the fifth day after it is passed.” Finally, “before passing a by-law amending an education development charge by-law, the board shall,

- a) give notice of the proposed amendment in accordance with the regulations; and
- b) ensure that the following are made available to the public,
 - i. the education development charge background study for the by-law being amended, and
 - ii. sufficient information to allow the public to understand the proposed amendment.”

D.3.3 Complaints

Under Section 257.85 of the *Education Act*, “an owner, the owner’s agent or a board, may complain to the council of the municipality to which an education development charge is payable that,

- a) the amount of the education development charge was incorrectly determined;
- b) a credit is or is not available to be used against the education development charge, or that the amount of a credit was incorrectly determined;
- c) there was an error in the application of the education development charge by-law.”

In addition,

“A complaint may not be made...later than 90 days after the day the education development charge, or any part of it, is payable.”

No formal complaints have been filed to date with respect to the Algonquin and Lakeshore Catholic DSB EDC by-law.