



quadrant advisory
group limited

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

Education Development Charges Background Study and Review of Education Development Charges Policies

Date: April 22, 2024



enhancing our living and
learning communities



FOREWORD

On June 25, 2019, the Conseil des écoles publiques de l'Est de l'Ontario (CEPEO) adopted a successor EDC by-law governing development and redevelopment within the United Counties of Prescott and Russell, and over a 5-year term. The successor by-law rates were imposed beginning July 1, 2019. The CEPEO by-law adopted on June 25, 2019 to reflected legislative changes made by the province in March, 2019.

The following background study and policy review document provides information respecting legislative changes and how the CEPEO is adapting its EDC policies in response; updates to the United Counties' forecast of residential and non-residential development; and changes to land values.

The following document fulfills section 257.61 of the *Education Act* which states “before passing an education development charge by-law, the board shall complete an Education Development Charges background study”. The following document contains the Education Development Charge (EDC) Background Study report for the Conseil des écoles publiques de l'Est de l'Ontario (CEPEO).

The following document also contains the background report pertaining to a “Review of the Education Development Charges Policies” of the CEPEO, consistent with the legislative requirements to conduct a review of the existing EDC policies of the Board prior to consideration of adoption of a successor EDC by-law.

Finally, this report includes a copy of the proposed EDC by-law which designates the categories of residential and non-residential development, as well as the uses of land, buildings and structures on which EDCs shall be imposed, in specifying the areas in which the established charges are to be imposed.

ACKNOWLEDGEMENTS

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

Further, the consultants wish to acknowledge the assistance of Ms. Megan Peterman, Borden Ladner Gervais LLP, legal counsel for the Board on education development charge matters; as well as Tim Uyl, Vice President of Paradigm Shift Technology Group Inc. (PSTGI) for his company's assistance in the development of the student enrolment projections and review area mapping.

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Conseil des écoles publiques de l'Est de l'Ontario – 2024 Education Development Charge Background Study

EXECUTIVE SUMMARY

The purpose of this report is to provide background information with respect to the calculation of the Conseil des écoles publiques de l'Est de l'Ontario's (CEPEO) Education Development Charges (EDCs) to be implemented in a new EDC by-law on or before June 26, 2024. The Board will seek input from the public, hold a Policy Review public meeting on Tuesday May 28, 2024. Immediately following, and during the same Board meeting, the board will hold a public meeting to disseminate information about the proposed renewed EDC by-law. Finally, the Board will give consideration to the public submissions prior to passage of education development charges proposed for Tuesday June 18, 2024. By-law implementation is proposed to take place on Monday July 1, 2024, subject to Board approval.

Section 257.62 of the *Education Act* states “an education development charge by-law may be passed only within a period of 365 days following the completion of the education development charges background study.” This EDC background study dated April 22, 2024 will be considered as part of the consideration of successor by-law adoption on June 18, 2024.

During the 2019 EDC by-law process, the CEPEO qualified to adopt a successor EDC by-law on the basis of having a deficit in the Board's EDC account. At the time of by-law passage, the Board had a deficit of just \$2.6 million in the EDC account. It is noted the EDC successor by-law eligibility requirements for the CEPEO addressing enrolment in excess of capacity are based on jurisdiction-wide capacity and enrolment.

For the 2019/20 through 2022/23 period, it was expected that the CEPEO's EDC by-law would derive \$1.93 million in residential collections. However, actual collections exceeded \$2.768 million due to higher-than-expected building permit activity.

The United Counties of Prescott and Russell's March 20, 2022 Growth Management Strategy Update prepared by Hemson Consulting Ltd., along with development charge (DC) studies for the: Township of Alfred and Plantagenet; Town of Hawkesbury; The Nation Municipality; City of Clarence-Rockland; Township of Russell; and Municipality of Casselman. In each case, the CEPEO growth-related sites are considered from the perspective of conventional, rather than intensified school sites.

Once this report is available for public distribution, the CEPEO is proposing to meet with development community stakeholders to review the proposed EDC Submission

RATIONALE FOR ADOPTING AN EDC BY-LAW

The primary purpose of any Board in implementing education development charges is to provide a source of funding for growth-related education land costs which are not funded by capital grant allocations under the province's capital funding model.

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). This percentage was established at 0% during the 2019 study process when the original 'capped' rates were set.

The EDC calculation is based on new pupils generated by new dwelling units within the United Counties of Prescott and Russell for which:

- building permits will be issued over the fifteen-year forecast period 2024/25 to 2038/39 academic years;
- additional land or site development costs are required to meet growth-related student accommodation needs; and
- education development charges may be imposed on the new dwelling units (i.e., net of any statutory and Board-approved by-law exemptions).

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 and occupied over the 15 years following by-law adoption and how many CEPEO students will be generated by the new housing units;
- How many pupil places owned and operated by the CEPEO are surplus to existing community enrolment needs, and therefore available to accommodate the new housing development within reasonable proximity (i.e., resident attendance boundary) to the new development, over the long term;
- How much will it cost to acquire and service the land necessary to construct the additional pupil places necessitated by new housing development?

ELIGIBILITY TO ADOPT A SUCCESSOR EDC BY-LAW

In order to be eligible to adopt a successor EDC by-law the CEPEO must demonstrate that it will either have a deficit in the EDC account as of June 30, 2024, or average enrolment over the next by-law period will exceed school capacity on either the elementary or secondary panel. The Board is expected to have elementary enrolment that will exceed elementary over the term of the proposed by-law.

FORECASTING DEVELOPMENT

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

- The United Counties of Prescott and Russell March 30 2022 Growth Management Strategy Update prepared by Hemson Consulting Ltd.;
- 2022 Development Charges Background Study, Township of Alfred and Plantagenet, August 5, 2022 prepared by Wats& Associates Economists Ltd.;
- 2019 Development Charges Background Study, Town of Hawkesbury, December 20, 2019 prepared by Watson & Associates Economists Ltd.;
- The Nation Municipality Development Charges Background Study, June 9, 2022 prepared by ZanderPlan Inc.;
- City of Clarence-Rockland Development Charges Background Study, August 4, 2021 prepared by Hemson Consulting Ltd.;
- Township of Russell, Development Charges Study, September 16, 2021 prepared by Hemson Consulting Ltd.;
- Municipality of Casselman, Development Charges Study, 2023, prepared by Watson & Associates Economists Ltd.;
- Development applications data for Clarence-Rockland and Russell.

A review of each development application and location of proposed urban and rural development was undertaken in order to determine the number of proposed dwelling units by residential typology (e.g., singles and semi-detached; medium density and high-density developments). A spatial matching of the CEPEO elementary school attendance boundaries against the municipal housing forecasts was undertaken by PSTGI.

The dwelling unit and phasing of development forecast derived as the basis for the determination of the proposed EDC charge is net of the residential statutory exemptions related to housing intensification (2.5%) as specified in the EDC Regulation. However, EDC statutory exemptions do not include secondary dwelling units built on the same property and separate from the original dwelling unit.

The Counties housing forecast suggests that approximately 7,723 new occupied dwelling units will be added to the existing housing stock over the next fifteen years, at an average of 515 units per annum. This average is 1% lower than the average building permits issued during the 2011 to 2021 period, at more than 521 net new units per annum. Of the additional dwelling units over the next 15 years, approximately just over 53% are anticipated to be low density (single and semi-detached); just under 19% medium density (row houses, townhouses, etc.); and the remaining 28% high density apartment units.

The forecast of non-residential development is based on the DC forecasts of new non-residential construction to 2041 (where available) for the municipalities of: Russell; Casselman; Clarence-Rockland; The Nation; Hawkesbury and Alfred and Plantagenet. The projection of additional non-residential gross floor area (GFA) over the 15-year forecast period (3.8 million square feet of additional GFA, or 2.15 million square feet of “net” gross floor area - adjusted to account for statutorily-exempt GFA).

REVIEW AREA BOUNDARY CHANGES

No modifications were made to the elementary and secondary EDC Review Area boundaries found in the Board’s 2019 EDC study, other than to account for any school boundary changes approved by the Board in the interim.

FORECASTING STUDENT ACCOMMODATION NEEDS

The capacity of the elementary and secondary facilities in the Board’s existing inventory is reflective of the On-the-Ground (OTG) capacities approved by the Ministry for the purposes of determining successor by-law adoption eligibility, and that, in the opinion of the Board could reasonably be used to accommodate growth-related pupils. Secondary capacity is loaded at 23 pupils per classroom, rather than 21 pupils per classroom requirement during the 2019 by-law study process, as per Ministry directives.

Consultant-prepared 15-year school enrolment projections are used to determine the number of growth-related school sites required as a result of anticipated enrolment growth within the Board’s jurisdiction. The information respecting projected enrolment and growth-related site needs is compared to, and aligned with, the Board’s capital priority needs, where Board decisions have been made, or are being contemplated as funding submissions.

All elementary enrolment projections are “headcount enrolment” as this is reflective of the Provincial initiative respecting full-day kindergarten. Secondary enrolments are reflective of “average daily enrolment.”

The jurisdiction-wide mid-2024 to mid-2039 projections of enrolment indicate that, for the CEPEO, the number of elementary pupils (JK-6) will increase by 246 (1,461 – 1,215). Secondary enrolment (Gr 7-12) is expected to increase by 613 pupils (1,218 – 605) on a jurisdiction-wide basis.

Detailed student enrolment projections for each school are found in Appendix A.

The 15-year housing forecast has been attributed to each elementary and secondary school based on the location of proposed residential development spatially-matched to the elementary and secondary school attendance boundaries approved by the Board. The Requirements of New Development, or ROND, is therefore determined on a school-by-school basis. The individual schools that will be impacted by new housing development are subsequently 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 further 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.

The determination of net growth-related pupil places (NGRPP) and associated growth-related site needs reflect:

- projected mid-2024 to mid-2039 growth within each of the 2 elementary and 1 secondary review area, taking into consideration housing development by school and the extent to which individual school enrolment will be affected by that development;
- site costs and site preparation/development costs reflect a combination of the Board's site acquisition experiences and land values for similar institutional uses (e.g. municipal libraries, fire stations, recreation and community facilities) found in Rockland, Russell and Alfred and Plantagenet.

RESULTING PROPOSED EDC RATES

Previous EDC study approaches were designed to determine what EDC rates needed to be imposed in order to fund 100% of the forecasted net education land costs – known as the 'calculated rates'. However, the 2019 changes to the legislation establish the EDC rates to be imposed at the time of building permit issuance, subject to the rate increases specified in the legislation, and provided that the legislative 'capped' rates do not exceed the EDC 'calculated rates'.

Therefore, the proposed education development charge for the CEPEO, where 100% of the costs are recovered from residential development, are as follows:

	In-force By-law Rates to June 30, 2024	2024 EDC Calculated Rates	Year 1 Rates July 1, 2024 to June 30, 2025	Year 2 EDC Rates July 1, 2025 to June 30, 2026	Year 3 EDC Rates July 1, 2026 to June 30, 2027	Year 4 EDC Rates July 1, 2027 to June 30, 2028	Year 5 EDC Rates July 1, 2028 to June 30, 2029
Conseil des écoles publiques de l'Est de l'Ontario - United Counties of Prescott and Russell (100% residential)							
<i>Residential EDC Rate per Dwelling Unit</i>	\$941	\$898	\$898	\$898	\$898	\$898	\$898
<i>Non-residential EDC Rate per Sq. Ft. of GFA</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0

The EDC forms for the Board were submitted to the Ministry of Education for review and approval, on March 21, 2024.

Chapter 1 - INTRODUCTION

1.1 Legislative Background

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

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

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

It is noted that the acquisition of an ‘interest in land’ is not defined in the legislation. This EDC-eligible cost is considered in more depth in Chapter 6 of this report.

The charges are collected at building permit issuance by the area municipality, implementing the provisions of the Board’s education development charge by-law.

Education development charges are the primary source of funding site acquisition needs for a school board experiencing residential 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 land 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 obligation arising from the predecessor EDC by-law. An unmet financial obligation is also not defined in the legislation.

Further, Section 257.70 of the *Education Act*, enables a board to “pass a by-law amending an education development charge by-law.” A by-law amendment allows a board the

opportunity to revisit the by-law where actual expenditures exceed cost estimates, to improve 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), subject to the legislative ‘cap’ provisions. Reflecting lower costs through by-law amendment may be necessary to ensure future successor by-law eligibility. 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. In addition, a school board may pass a by-law amendment to recognize agreements approved by the board to acquire sites approved by the Minister post by-law adoption. By-law amendment and renewal requires a reconciliation of the EDC account under section 7(5) of O. Reg. 20/98 and affords the opportunity to assess actual versus projected student enrolment and its impact on growth-related student accommodation needs. In other words, the transition from one by-law to another is an opportunity to replace what are estimates and projections at the time the by-law is passed, to actual collections, expenditures and growth-related site requirements.

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

The Conseil des écoles publiques de l'Est de l'Ontario (CEPEO) has imposed education development charges since March 30, 2015 under the legislative authority of the *Education Act*, R.S.O., 1990. In each of the 2015 and 2019 studies, the Conseil des écoles publiques de l'Est de l'Ontario adopted a ‘regional’ EDC by-law that applied to the entire United Counties of Prescott and Russell. While the Board has the legislative authority to consider the adoption of multiple area-specific by-laws, the total EDC rates are lower when averaged across the Counties.

However, should the CEPEO determine that it may wish to consider the adoption of area specific by-laws, then a new EDC Background study would have to be undertaken consistent with multiple by-law structures, before the Board could consider the adoption of successor EDC by-laws.

1.3 Policy Review Process and By-law Adoption Consultation Requirements

In order to consider the adoption of a new EDC by-law, the Board must first undertake a review of its existing EDC policies, in accordance with the legislation. Section 257.60 sub-section (1) of the *Education Act* states that:

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

Sub-section (2) goes on to state that:

“In conducting a review under subsection (1), the board shall ensure that adequate information is made available to the public, and for this purpose shall hold at least one public meeting, notice of which shall be given in at least one newspaper having general circulation in the area of jurisdiction of the board.”

As the Board has an existing EDC by-law in place, this section, therefore, has the effect of requiring a minimum of two public meetings to be held as part of consideration of a new education development charge by-law.

The purpose of the first public meeting is to ensure that adequate information is made available to the public relative to the Board’s review of the education development charge policies of the Board. This meeting will be held Tuesday May 28, 2024 at 7:00 PM in the Conseil des écoles publiques de l’Est de l’Ontario Board Room located at 2445 St-Laurent Blvd., United Counties of Prescott and Russell. Information respecting a review of the Board’s policies is being made available to the public as part of this document. This information is titled, ‘Background Document Pertaining to a Review of the Education Development Charge Policies’ is found in Appendix C of this document.

The scheduling of the second public meeting requires that the proposed by-law and the new education development charge background study are made available to the public at least two weeks prior to the meeting, and to ensure that any person who attends the meeting “may make representations relating to the by-law” (s.257.63(2)). This meeting will immediately follow the policy review public meeting on Tuesday May 28, 2024 at 7:30 PM, and will also be held in the Board Room.

Finally, the Board is expected to consider the adoption of a new education development charge by-law to replace the Interim By-law on Tuesday June 18, 2024 7:00 PM at the same location. As set out in the following notice, anyone wishing to delegate the Board on EDC matters may make arrangements to do so by contacting the Board.

A copy of the “Notice of Public Meetings” is set out on the following page.



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

**EDUCATION DEVELOPMENT CHARGES IN THE
UNITED COUNTIES OF PRESCOTT AND RUSSELL
NOTICE OF PUBLIC MEETINGS**

**FIRST MEETING – POLICY REVIEW PUBLIC
MEETING TUESDAY MAY 28, 2024 @ 7:00 PM**
Conseil des écoles publiques de l'Est de l'Ontario
(CEPEO) Board Room
2445 St-Laurent Blvd, Ottawa, Ontario

TAKE NOTICE that on Tuesday May 28, 2024, the Conseil des écoles publiques de l'Est de l'Ontario (CEPEO) 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.

A Policy Review Document is contained as an Appendix to the Board's 2024 Education Development Charges Background Study report. The Policy Review document sets out the Board's policies for the current education development charge by-law and will be available no later than April 22, 2024, at the Board Offices, during regular office hours or through the following website: www.cepeo.on.ca

**SECOND MEETING – SUCCESSOR BY-LAW PUBLIC
MEETING TUESDAY MAY 28, 2024 @ 7:30 PM**
Conseil des écoles publiques de l'Est de l'Ontario
(CEPEO) Board Room
2445 St-Laurent Blvd, Ottawa, Ontario

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

The education development charge background study required under Section 257.61 of the *Act* (including the proposed EDC by-law) and setting out the Board's education development charge proposal will be available (i.e. the EDC Background Study report and EDC Policy Review document) no later than April 22, 2024 at the Board Offices, during regular office hours or through the Board's website.

Finally, it is anticipated that the CEPEO will consider adoption of a successor by-law imposing education development charges in the United Counties of Prescott and Russell on June 18, 2024.

**THIRD PUBLIC MEETING – IN CONSIDERATION OF BY-LAW ADOPTION –
TUESDAY JUNE 18, 2024 @ 7:00 PM**
Conseil des écoles publiques de l'Est de l'Ontario
(CEPEO) Board Room
2445 St-Laurent Blvd, Ottawa, Ontario

The purpose of this meeting is to entertain the Board's approval to adopt a successor EDC by-law in the United Counties of Prescott and Russell. Any person who attends the meeting may make representation in respect of this matter. Written submissions, filed in advance of the meeting, will also be considered. All interested parties are invited to attend the public meetings. 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. Written submissions and any requests to address the Board as a delegation should be submitted to:

Christian-Charle Bouchard, Director of Education and Secretary-Treasurer,
e-mail at christian-charle.bouchard@cepeo.on.ca

In addition to the legislated public meetings indicated above, the Board has regularly scheduled Board meetings, at which the Board may receive information regarding education development charges. Regular Board meeting procedures will apply to these meetings. Any comments or requests for further information regarding this matter may be directed to Mr. Michèle D'Amour, Planning Manager (813-742-8960) during regular office hours or by email at planification@cepeo.on.ca.

1.4 Legislative Requirements to Adopt a New EDC By-law

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

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

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

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

1. The Minister has approved the Board’s estimates of the total number of elementary and secondary pupils over each of the fifteen years of the forecast period and the number of existing pupil places that could reasonably be used to accommodate 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 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.

The CEPEO is eligible to adopt a successor EDC by-law during June 2024 given that the Board expects to have more elementary pupils than the number of pupil places over the term of the proposed by-law.

1.5 Eligibility to Impose Education Development Charges and Form A

Form A of the EDC Submission, which follows, demonstrates that the head count enrolment over the proposed 5-year term of the EDC by-law (2024/2025 to 2028/2029), as measured in October and March of each academic year, is projected to exceed the permanent capacity of the Board's existing inventory of school facilities, on the secondary panel. The Board's available permanent capacity on the elementary panel is greater than the average 5-year enrolment projections over the time-period referenced above. As a result, the CEPEO meets the legislative "trigger" on enrolment in excess of capacity, on the elementary panel.

For the CEPEO, the five year (2024/25 to 2028/29) average head count enrolment is 11,615 for the elementary panel and ADE average enrolment of 6,973 on the secondary panel. When these figures are compared to 11,013 permanent spaces in the Board's existing inventory of elementary facilities and 8,353 permanent spaces on the secondary panel, enrolment exceeds capacity on the elementary panel. Note that these figures reflect the entire jurisdiction of the Board, which is: Hastings; Lanark; Leeds and Grenville; Lennox and Addington; Prescott and Russell, and Renfrew Counties; Stormont, Dundas and Glengarry, the Frontenac Management Board; along with the municipalities of: Belleville, Cornwall, County of Prince Edward, Gananoque, Kingston, United Counties of Prescott and Russell, Pembroke, Prescott, Smiths Falls, South Algonquin and Quinte West.

It is noted, however, that the legislation allows the Board to utilize education development charges as a source of funding for additional site purchases due to enrolment growth on both panels (elementary and secondary), even if the Board meets the legislative "trigger" on only one panel.

Conseil des Écoles Publiques de l'Est de l'Ontario
Education Development Charges Submission 2024
Form A - Eligibility to Impose an EDC

A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL (Primarily M-6)

Elementary Panel Board-Wide Capacity	Projected Elementary Panel Average Daily Enrolment Headcount						Elementary Average Projected Enrolment less Capacity
	Year 1 2024/ 2025	Year 2 2025/ 2026	Year 3 2026/ 2027	Year 4 2027/ 2028	Year 5 2028/ 2029	Average Projected Enrolment Over Five Years	
11,013	11,226	11,419	11,591	11,810	12,027	11,615	602

Projected enrolment does not include any elementary or secondary pupils generated by new housing development outside of the City of Ottawa and the United Counties of Prescott & Russell

A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL (Primarily Gr 7-12)

Secondary Panel Board-Wide Capacity	Projected Secondary Panel Average Daily Enrolment (ADE)						Secondary Average Projected Enrolment less Capacity
	Year 1 2024/ 2025	Year 2 2025/ 2026	Year 3 2026/ 2027	Year 4 2027/ 2028	Year 5 2028/ 2029	Average Projected Enrolment Over Five Years	
8,353	6,355	6,582	6,941	7,333	7,653	6,973	-1,380

A.2: EDC FINANCIAL OBLIGATIONS (Estimated to June 30 2024)

Adjusted Outstanding Principal:	\$4,095,022
Less Adjusted EDC Account Balance:	\$4,373,559
Total EDC Financial Obligations /Surplus:	\$278,537

1.6 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 within the enclosed report:

1. estimates of the anticipated amount, type and location of residential development for each year of the fifteen-year forecast period, as well as the anticipated non-residential forecast of gross floor area in the United Counties of Prescott and Russell - Chapter 4
2. the number of projected new pupil places (Chapter 5) and the number of new sites and/or site development costs required to provide those new pupil places - Chapter 6
3. the number of existing pupil places available to accommodate the projected number of new pupils 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 – Appendix A
5. for every existing elementary and secondary pupil place in the board's jurisdiction that the board does not intend to use, an explanation as to why the board does not intend to do so – Chapter 7
6. estimates of the education land cost, the net education land cost, and the growth-related net education land costs required to provide the projected new pupil places in item #2, the location of the site needs, the acreage for new school sites, including the area that exceeds the maximum set out in section 2 of O. Reg. 20/98, an explanation of whether the costs of the excess land are education land costs and if so, why - Chapter 6
7. the number of 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.

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 April 2, 2024 will be considered for approval by the Board, as part of the meeting on June 18, 2024, which will also consider by-law adoption.

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

1.7 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 its second (and any subsequent) EDC by-law under the *Education Act*, including the policy review process.

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

PHASE ONE	PHASE TWO	PHASE THREE	PHASE FOUR	PHASE FIVE	PHASE SIX
DETERMINING ELIGIBILITY	ANALYSIS OF NGRELC ¹	ALTERNATIVE PROJECTS & LEDAs	MINISTRY SUBMISSION	STAKEHOLDER CONSULTATION PROCESS	BY-LAW ADOPTION & IMPLEMENTATION
A. Capacity Trigger Evaluation and Notify Ministry of Education if Board Intends to Exclude Capacity	A. 15-year Estimate of Amount, Type and Location of Residential Development and Non-Residential GFA Projections (net of statutory exemptions)	A. Determine Areas where Density Value & proposed growth-related sites indicate potential for Alternative Projects and LEDAs	A. Completion of Ministry Forms (EDC Submission)	A. Follow-up Consultation with Stakeholders re Basis for Charges and % Unfunded Costs	A. Liaison with Area Municipal Representatives re By-law Interpretation, Implementation & Collection Issues
B. EDC Account Analysis - determine sites proposed to be acquired & sites acquired, what has been fully or partially funded and reconcile account	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 Capital Priorities & planning areas	B. Prepare land valuations based on conventional and strata builds	B. Complete Background Study and Forward to Ministry, Co-terminus Boards & Stakeholders who have provided notification (90 days in advance of by-law passage date)	B. Conduct Public Meeting(s) including Policy Review Public Meeting	B. Board Consideration of Public Input and Calculation Revisions as necessary (may require additional Ministry Review/approval or request for additional data)
C. EDC Financial Obligations Evaluation (including how Financial Obligations will be repaid)	C. Review Area Analysis to Determine Schools Impacted by New Housing Development	C. Define Area Specific By-law Structure if LEDA is contemplated	C. Preparation & Public Distribution of Policy Document	C. Review of Public Submissions	C. Additional Public Meeting at Discretion of Board
	D. Forecast of Net Growth-related Pupils and Determine # of Sites, Site Expansions and/or Site development Costs by Location	D. Review Status of Ministry Approval of Site Acquisitions	D. Ministry of Education Review & Approval Process (90 days review period)		D. By-law Adoption
	E. Estimate Growth-related Net Education Land Costs (net of any surplus EDC account funds)				E. By-law Implementation
	F. Calculate NELC on a Cashflow basis and Determine Portion of NELC to be Funded from EDCs given Legislative 'Cap'				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 model. The first is the planning component, which is comprised primarily of the dwelling unit projections over a fifteen-year period, the pupil yield analysis, the determination of the requirements of new development, enrolment projections for the existing community, the determination of net growth-related pupil places by review area and the identification of additional site requirements due to growth. The second component, which is the financial component, encompasses the determination of the charge (undertaken in the form of a cash flow 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 and for which education development charges would be imposed during the 2024/25 to 2038/2039 forecast period.

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 United Counties of Prescott and Russell March 30 2022 Growth Management Strategy Update prepared by Hemson Consulting Ltd.;
- 2022 Development Charges Background Study, Township of Alfred and Plantagenet, August 5, 2022 prepared by Wats& Associates Economists Ltd.;
- 2019 Development Charges Background Study, Town of Hawkesbury, December 20, 2019 prepared by Watson & Associates Economists Ltd.;
- The Nation Municipality Development Charges Background Study, June 9, 2022 prepared by ZanderPlan Inc.;
- City of Clarence-Rockland Development Charges Background Study, August 4, 2021 prepared by Hemson Consulting Ltd.;
- Township of Russell, Development Charges Study, September 16, 2021 prepared by Hemson Consulting Ltd.;
- Municipality of Casselman, Development Charges Study, 2023, prepared by Watson & Associates Economists Ltd.;
- Development applications data for Clarence-Rockland and Russell

A spatial matching of the CEPEO elementary school attendance boundaries against the 15-year housing forecast by density type, was undertaken.

The occupied dwelling unit forecast derived as the basis for the determination of the proposed EDC charge is net of the statutory exemptions related to demolitions, redevelopment credits and conversions from non-residential to residential

The forecast of non-residential development is based on the DC forecasts of new non-residential construction to 2041 (where available) for the municipalities of: Russell; Casselman; Clarence-Rockland; The Nation; Hawkesbury and Alfred and Plantagenet. The projection of additional non-residential gross floor area (GFA) over the 15-year forecast period (3.8 million square feet of additional GFA, or 2.15 million square feet of “net” gross floor area - adjusted to account for statutorily-exempt GFA).

Step 2 - The draft by-law structure is based on a jurisdiction-wide rather than an area-specific approach to the by-law structure. The policy reasons for this choice are outlined in Appendix C. The elementary and secondary review areas match the elementary attendance boundaries approved by the Board when the 2019 EDC by-law was adopted. Review Area boundaries continue to consider the accommodation of pupils in their resident areas over the longer term, as well as man-made barriers including major arterial roads, railway crossings and industrial areas, municipal boundaries, travel distances within the Board’s transportation policies, program requirements, etc.

Step 3 - Utilize the ECIS facilities inventory information to determine the 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, which in the opinion of the Board, are not required to meet the needs of the existing community.

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 student population) from the pupil requirements of new development (the number of pupils anticipated to be generated by new development within the Counties and over the next 15 years) were prepared by the consultants and reviewed by Board Planning staff. Finally, the enrolment analyses assume that any pupils temporarily accommodated outside of their resident attendance area are returned to their resident area. In some cases, these students are directed to future school boundaries proposed by board staff.

Steps 7 and 9 - Determine the number of “available” pupil places by comparing the Year 15 projected head count enrolment from the total capacity of schools within the high-growth development areas. 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. Schools within each Review Area are distinguished between those that have been, and will be impacted by the construction of new homes within their attendance boundaries, from those that are not. The determination of 15-year growth-related needs is relevant to the first category of schools – not the latter.

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

Step 8 - Complete Form A of the EDC Submission to determine eligibility to impose education development charges. This involves a detailed analysis of the EDC account and the need to project the balance in the account as of the day prior to implementation of the new EDC by-law.

Step 10 - Determine the number of additional school sites and/or site development costs required to meet the net growth-related pupil place need 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. In addition, the Board may acquire lands adjacent to existing school sites in order to accommodate enrolment growth. The acquisition of lands may also involve the acquisition of lands declared ‘surplus’ by coterminous school boards. Further, meeting growth-related accommodation needs can be accomplished through the redevelopment of existing schools and the provision of increased capacity as a result. Finally, where land costs are prohibitive, the board can acquire an interest in land through the imposition of education development charges, where the costs to do so are a more cost-effective approach to meeting growth-related needs.

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

2.2 Financial Component:

The financial component of EDC studies has changed. Prior to 2019, the EDC financial analysis was designed to determine residential and non-residential rates, when imposed, would, over the 15-year forecast period, equal the forecasted net education land costs. Today, these derived rates are called the ‘calculated’ rates.

The March 29, 2019 change in the Regulation placed a ‘cap’ on EDC rates. As such, the more recent EDC financial analysis is designed to address the following questions:

1. If the legislation permitted the imposition of the ‘calculated rates’, what rates would be required to fully fund the projected net education land costs?
2. Given that the board can only impose the ‘capped’ rates, what funding shortfall is expected to be derived over the 15-year forecast period?
3. Given that the legislative cap establishes the maximum projected revenue to be derived during the 15-year forecast period, what additional growth-related and costs are expected to be derived over the 15-year forecast period for which no additional EDC funds are available (i.e., unless the legislative cap is lifted)?

Step 1 - Identify the land acquisition costs (on a per acre basis) in 2024 dollars.

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

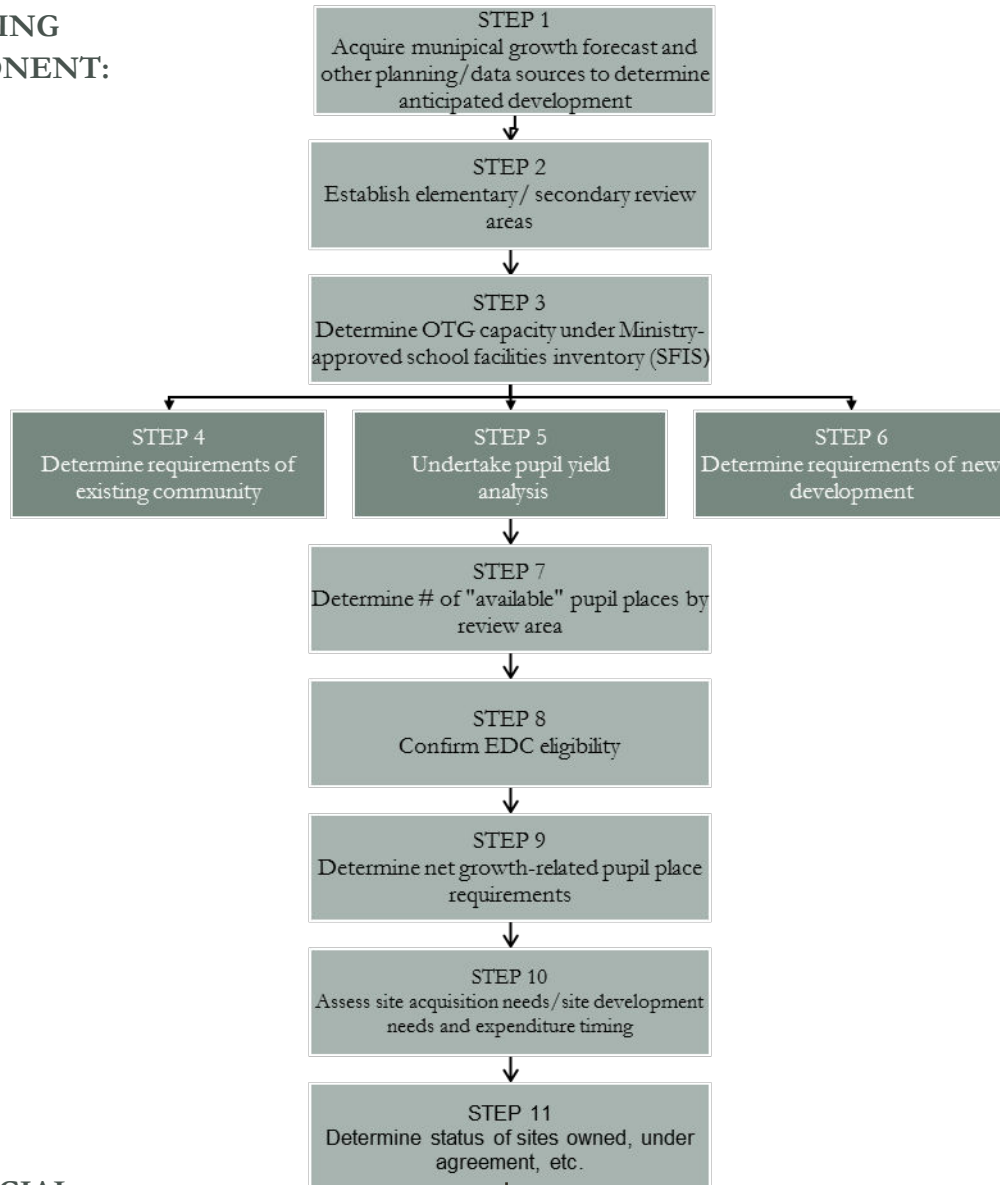
Step 3 - Apply an appropriate indexation factor to site preparation/development costs to recognize increased labour and material costs over the 15-year forecast period. Apply an appropriate land escalation factor to site acquisition costs for the entire forecast period, in order to properly reflect potential unfunded costs.

Step 4 - Determine the quantum of the charge, considering borrowing impact (particularly where there is significant deficit EDC account balances) and EDC account interest earnings by undertaking a cash flow analysis of the expenditure program over the 15-year forecast period. From a borrowing perspective, this could include an external Line of Credit specifying the interest rate to be paid and the payback period. The Board's ability to access an EDC Line of Credit is dependent upon certainty in the application of the EDC by-law and in-force rates that are sufficient to fund the principal plus borrowing costs over the borrowing term.

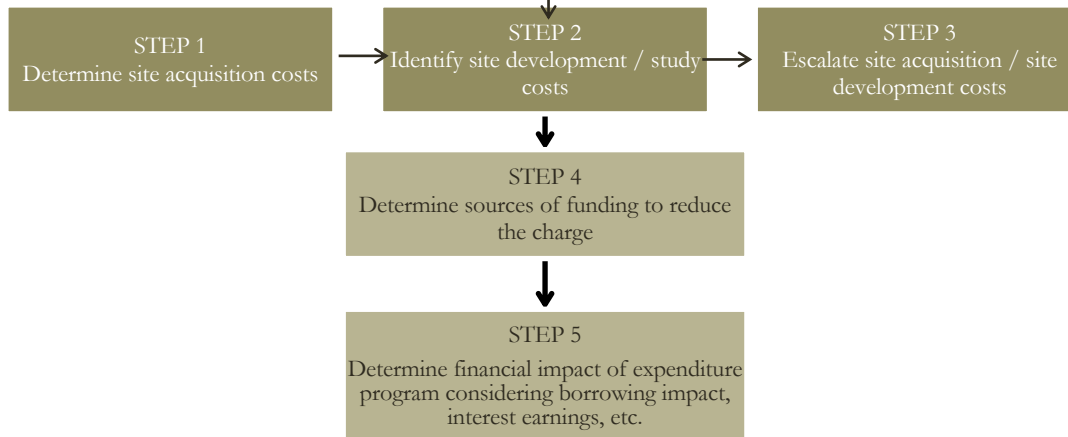
Finally, it is important to understand, given the fact that the EDC revenue stream is fixed, what additional costs are likely to be incurred over the 15-year forecast period and for which there is currently no funding source.

**FIGURE 2-1
EDC METHODOLOGICAL
APPROACH**

**PLANNING
COMPONENT:**



FINANCIAL



¹ 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)

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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.” The jurisdiction of the CEPEO comprises multiple ‘regions’ outlined in the EDC regulations, and listed in Chapter 1.

The determination of proposed EDC rates found within this report is based on a singular region-wide 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 used to determine growth-related education land costs.

3.2 Analysis of Pupil Accommodation Needs by “Review Area”

In order to attribute the number of pupil places that would be generated within the areas in which additional residential development is contemplated, the United Counties of Prescott and Russell portion of the Board’s jurisdiction was divided into sub-areas in 2015, referred to in the EDC submission as “Review Areas.”

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

1. The needs of the existing community (at the end of the 15-year forecast period) must take priority over the needs resulting from new development in the construction of additional pupil places.
2. Pupils generated from new development for the schools impacted by new housing construction fill any surplus available OTG capacity within the development catchment area, taking into consideration that the perpetual busing of students is not a cost effective or efficient system of student accommodation.
3. Pupils generated from new development within the review area must take priority over the “holding” accommodation needs of other review areas.

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

charges, provided that they are consistent with the board's short and longer-term capital priority needs and anticipated capital funding approvals. Meeting the growth-related pupil place requirements does not always require the acquisition of land; acquiring an interest in land, or leasing additional pupil places.

The review area concept within education development charges is based on the premise that pupils should, in the longer term, be able to be accommodated in permanent facilities offering standard school programs within their resident area. Therefore, not all existing available capacity within the review area provides a viable solution to accommodating pupils generated by the construction of new homes.

For the purposes of the calculation of education development charges described in this report, pupils of the Board who currently attend school facilities outside of their resident area, have been transferred back if the holding situation is considered to be temporary in nature. Further, proposed boundary adjustments reflecting the provision of new schools, are representative of where students are expected to be accommodated over the forecast period. This is representative of current board-registered pupils that are holding in alternate accommodation awaiting the new school.

The determination of growth-related needs also takes into consideration increased enrolment within the existing community projections. Typically, existing community enrolments will decline over the 15-year forecast period without continued housing development generating additional pupils for the school. Where the existing community enrolment continues to increase, it is due to one or more of the following:

- Delayed permit approvals, construction and occupancy of residential development attributed to the particular school, and occurring prior to the proposed by-law, and resulting in delayed school registrations;
- The actual apportionment shares related to the new school are higher than were projected during a previous by-law;
- Actual births within the catchment area of the new school are higher than originally predicted;
- The residential density mix and related occupancy of homes built prior to the proposed by-law is generating a higher share of family-occupied homes – that is, the pupil yields are higher than projected.

There are four important principles to which the consultants have adhered 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 each 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. Only the projected housing development expected to impact the need for new student accommodation should be taken into consideration in determining the growth-related land needs; and
4. Board transportation costs should be minimized.

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

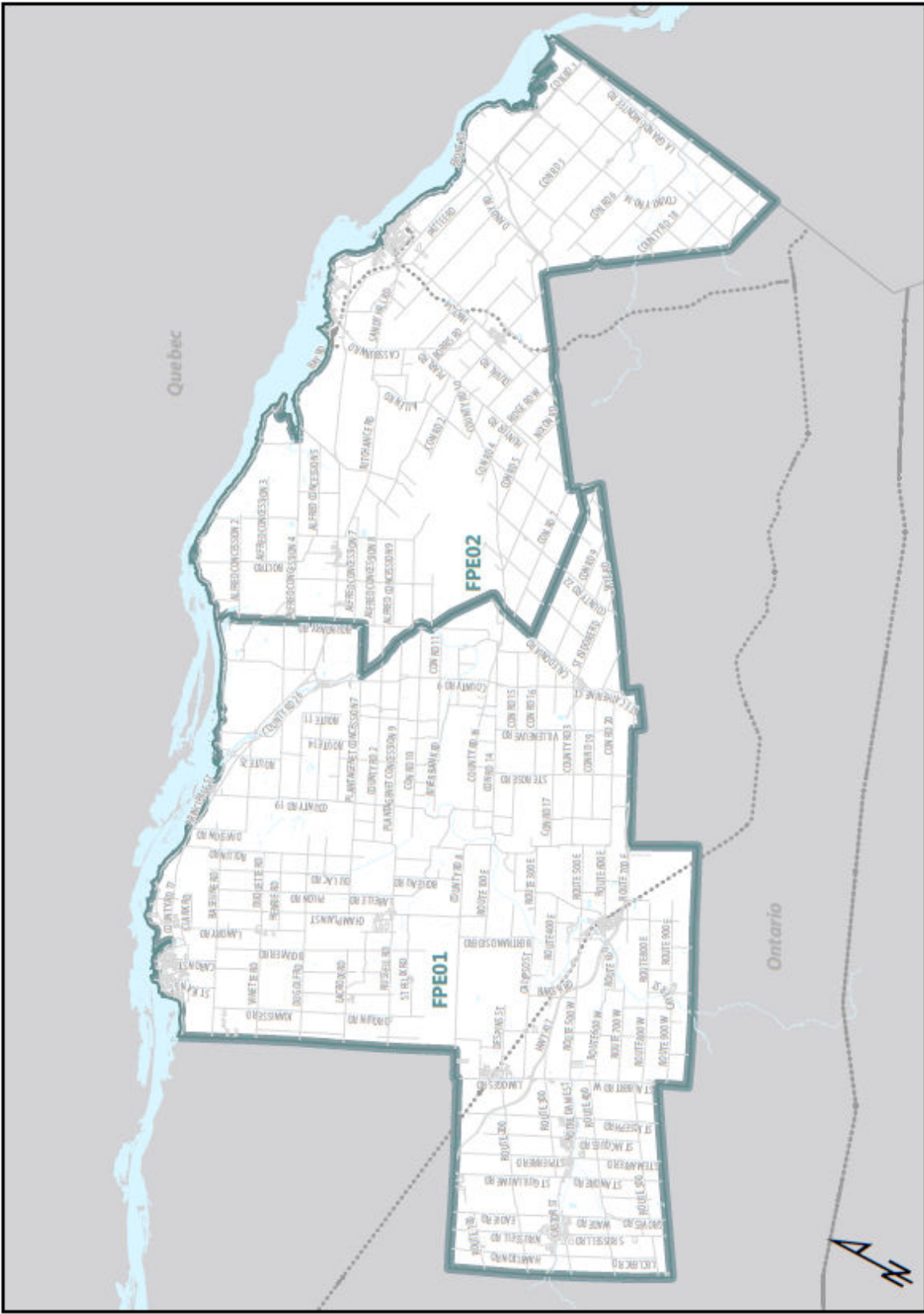
- a. A desire by the Board to align feeder school patterns as students move from kindergarten to elementary and secondary programs;
- b. Board-approved school attendance boundaries and proposed changes to attendance boundaries as new schools open;
- c. Travel distances to schools consistent with the Board's transportation policies;
- d. Manmade or natural barriers (e.g., existing or proposed major arterial roadways, expressways such as Highway 416 and Highway 417, railway crossings, industrial areas, river valleys, escarpments, woodlots, etc.);
- f. Distance to neighbouring schools.

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.

For the purpose of the regional approach to calculating education development charges, the Conseil des écoles publiques de l'Est de l'Ontario has 2 elementary review areas and 1 secondary review area as shown on Maps 3-1 and 3-2, at the end of the chapter.

Each review area has been further subdivided in order to determine the net growth-related pupil place needs. The detailed development application database enables the Board to specify which existing and proposed school sites will be impacted by new housing development. The determination of net growth-related pupil place needs is therefore concentrated on the school sites where additional site acquisition and/or site development costs would be required to accommodate enrolment growth, and for which Board staff have identified an accommodation need.

It is noted that undertaking the determination of additional site requirements using a review area and a sub review-area approach is consistent with the way in which requests for capital priorities funding will be assessed by the Ministry of Education.

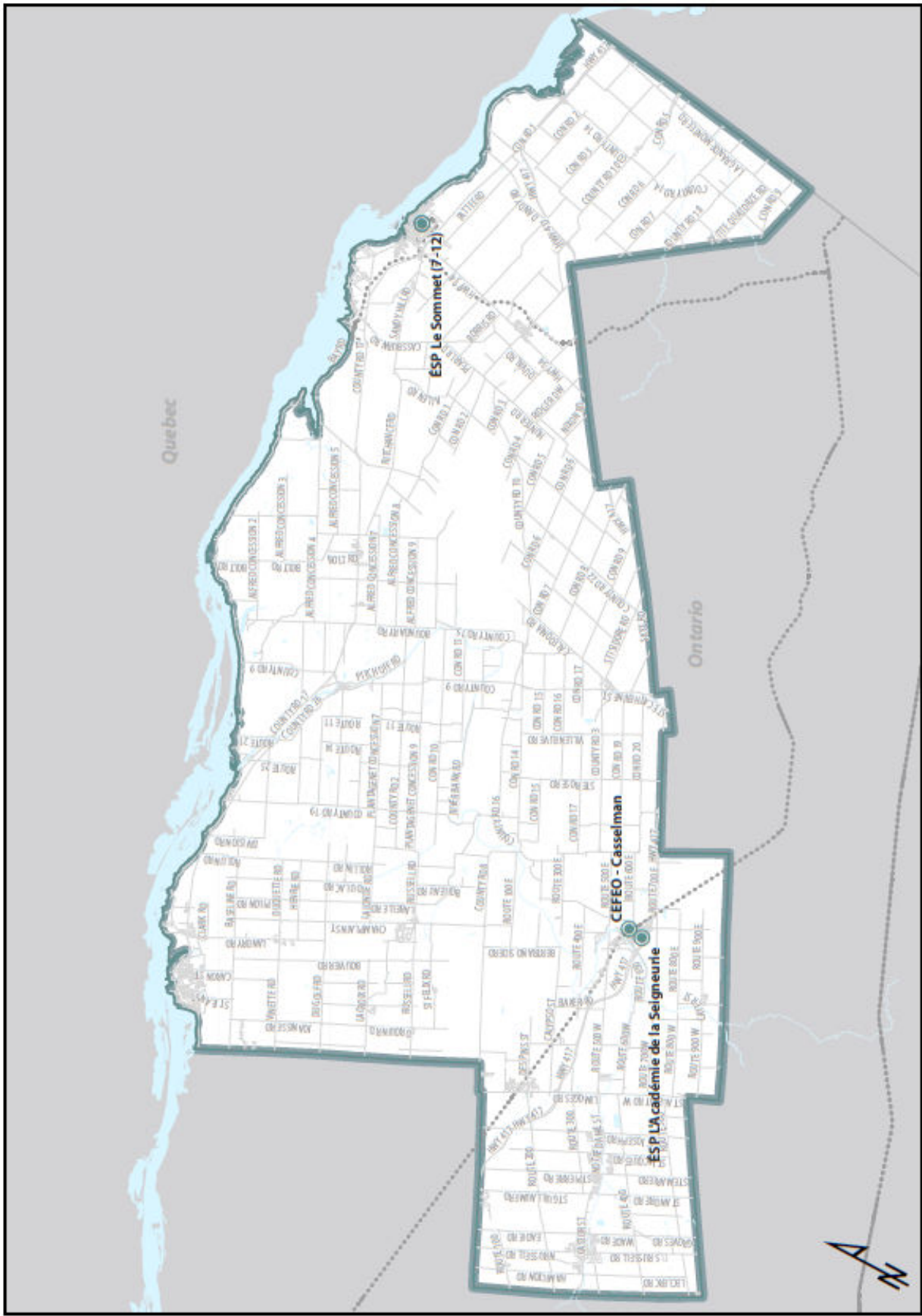


Conseil des écoles publiques de l'Est de l'Ontario: Elementary Review Area Boundary Overview

Legend:

- Elementary Review Areas (thick dark green outline)
- Streets (thin grey line)
- Rails (dashed line)

Map 3-1



Map 3-2

Conseil des écoles publiques de l'Est de l'Ontario: Prescott-Russell, Education Development Charges Background Study 2024
 Secondary Review Area: FPS01

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Chapter 4 - RESIDENTIAL/NON-RESIDENTIAL GROWTH FORECAST

4.1 Background

This section of the report deals with the 15-year forecast of residential and non-residential development for the 2024/25 to 2038/39 forecast period. The legislative requirements respecting EDC growth forecasts cite the need to identify the anticipated timing, location, and type of residential development, which are critical components of the overall EDC process due to the inextricable link between new units and the need for new pupil places. The location of development is particularly important to the determination of additional growth-related site needs. Therefore, every effort was made to consider the most recent residential and non-residential forecast information available.

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

- The United Counties of Prescott and Russell's 2021 to 2046 'draft' housing projections prepared by Hemson Consulting Ltd., and provided on August 30, 2023. The housing projections were disaggregated at a traffic zone level;
- United Counties of Prescott and Russell development application data as of June, 2023;
- United Counties of Prescott and Russell vacant residential land inventory mid-2021 development pipeline data;
- United Counties of Prescott and Russell March, 2019 DC forecast of non-residential construction – new space and additions for the 2024 to 2031 period;
- United Counties of Prescott and Russell Official Plan employment targets to 2029 converted to gross floor area using the March 2019 DC employment to GFA factors, by category;
- 2017 through 2022 United Counties of Prescott and Russell building permit activity; as well as starts and completions taken from CMHC reports.

A spatial matching of the CEPEO elementary school attendance boundaries against the DC housing and growth management forecasts, was undertaken. The determination of 'net' new units, or units to which the EDC charges are expected to be applied, is based on a 'gross' to 'net' new unit adjustment of 2.5%, and derives 7,530 'net' new units.

The DC and growth management growth forecasts suggests that approximately 7,723 new occupied dwelling units will be added to the existing housing stock in the United Counties of Prescott and Russell over the next fifteen years, at an average of 515 units per annum. This average is 6% lower than the average building permits issued during the 2006 to 2021 period, at an average household growth of 551 units per annum. Of the additional dwelling units, approximately just over 53% are anticipated to be low density (single and semi-detached); just under 19% medium density (row houses, townhouses, etc.); and the remaining 28% high density apartment units.

4.2 Legislative Requirements

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

- “An EDC background study shall include estimates of the anticipated amount, type and location of residential and non-residential development.”; (Section 257.61(2) of the *Education Act*)
- “Estimate the number of new dwelling units in the area in which the charges are to be imposed for each of the 15 years immediately following the day the by-law comes into force.”; (O. Reg 20/98), Section 7(1)
- “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 10
- “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(1) 8)

During the 2019 EDC by-law adoption process, the Board approved 100% of the net education land costs to be funded from residential development. However, the current legislative ‘cap’ impacts on a school board’s ability to alter the percentage of net education land costs to be recovered from residential versus non-residential development, without additional revenue loss.

4.3 Residential Growth Forecast and Forms B and C

4.3.1 Historical New Residential Units

Table 4-1 below, summarizes the number of new households added for the period 2006 through 2021. An average of 551 new households were added in the Counties over this period.

Table 4-1
Household Growth in the UCPR

Census Year	Total Households	Household Growth
2006	30,070	
2011	33,130	3,060
2016	35,400	2,270
2021	38,340	2,940
TOTAL Growth 2006-2021		8,270
Average Growth per Annum		551

Source: The United Counties of Prescott and Russell Growth Management Strategy Update, March 30, 2022 prepared by Hemson Consulting

4.3.2 Methodological Approach

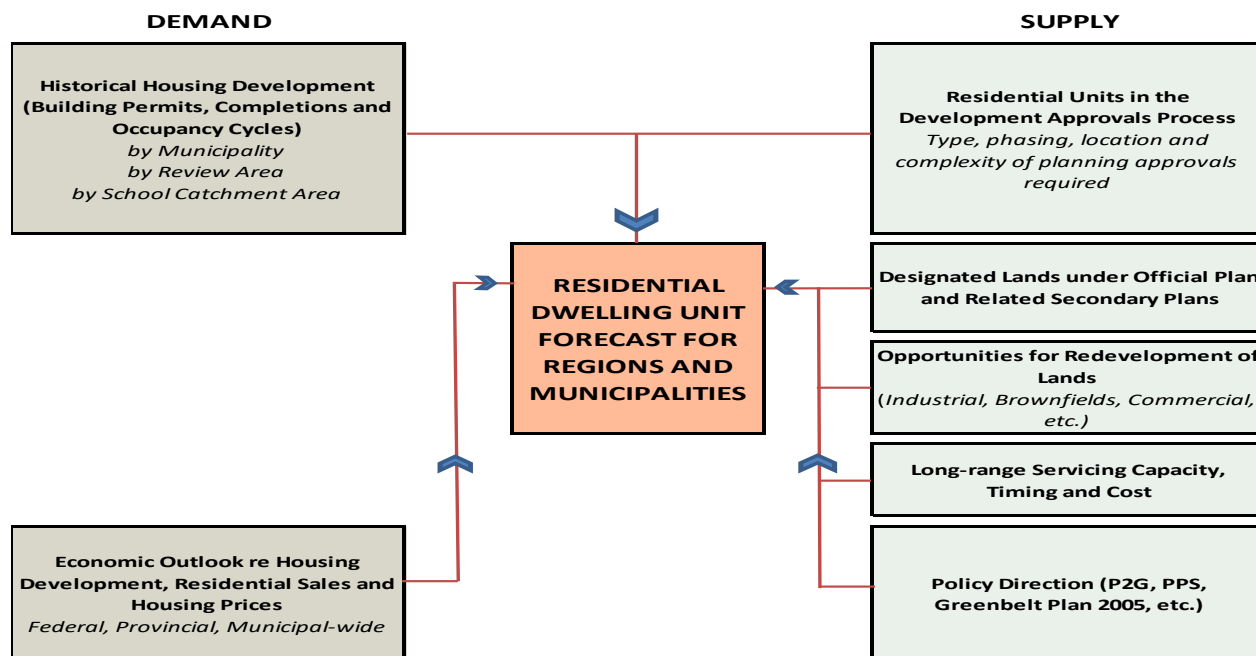
Municipal forecasts of residential development generally give consideration to: underlying demographic trends, timing and location of infrastructure emplacement, local planning policies (Official Plan and Secondary Plans), Provincial planning policies, considerations of demand (including recent and projected real estate market conditions and recent historical construction statistics) and supply (land supply and absorption rates), staging of units in the development approvals process, government housing policies affecting housing affordability, etc. Figure 4-1 illustrates a typical household formation projection methodology.

In order to prepare 15-year projections of new occupied dwelling units in the United Counties of Prescott and Russell, for which education development charges are to be imposed, the process outlined below was followed. Primarily, the process involved the following steps:

1. Take the draft United Counties of Prescott and Russell DC growth management housing forecast.
2. Use the individual municipal DC forecast to breakout the forecast by density and by single year over the 15-year forecast period.
3. Add units in the development approvals process for the municipalities where this information is available.
4. Identify the specific geographic co-ordinates of development and match to the Board's existing elementary school boundaries.

FIGURE 4-1

**Residential Growth Forecast: Proposed Methodology
Household Formation Projection Model**



Statutory Residential Exemptions:

Additional Dwelling Unit Exemption –

Section 257.54 (3) of the *Education Act* exempts, from the imposition of education development charges, the creation of two additional dwelling units within an existing single detached dwelling (i.e., the conversion of a single unit to a duplex or triplex), or one additional dwelling unit within a semi-detached, row dwellings and other residential building. The municipal development charge legislation exempts both secondary units within the principal residence, as well accessory dwellings that are constructed on the same property as the original building. The EDC legislation does not. At this time, there is no available data source that would allow for distinguishing between secondary dwelling units within the existing primary residence and those constructed as stand-alone units on the same property.

Replacement Dwelling Unit Exemption –

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

4.3.3 Net New Units and Forms B and C

Table 4-2 summarizes the United Counties of Prescott and Russell's housing forecast by unit type for the 2024/25 through 2038/39 period. The table also provides a summary of the housing forecast by CEPEO elementary and secondary review area.

TABLE 4-2
Conseil des Écoles Publiques de l'Est de l'Ontario
Education Development Charges Submission 2024
Forms B/C - Dwelling Unit Summary

PROJECTION OF NET NEW DWELLING UNITS ¹

	Year 1 2024/ 2025	Year 2 2025/ 2026	Year 3 2026/ 2027	Year 4 2027/ 2028	Year 5 2028/ 2029	Year 6 2029/ 2030	Year 7 2030/ 2031	Year 8 2031/ 2032	Year 9 2032/ 2033	Year 10 2033/ 2034	Year 11 2034/ 2035	Year 12 2035/ 2036	Year 13 2036/ 2037	Year 14 2037/ 2038	Year 15 2038/ 2039	Total All Units
United Counties of Prescott & Russell																
Singles and Semi-Detached	295	295	284	279	279	278	280	271	262	263	261	263	257	254	254	4,075
Townhouses, Row Housing, etc.	118	117	101	98	98	97	98	95	93	92	93	93	92	90	90	1,465
Apartments	106	106	142	147	155	145	154	155	155	154	145	154	155	155	155	2,183
Total	519	518	527	524	532	520	532	521	510	509	499	510	504	499	499	7,723
FPE01 western portion of Counties including: Russell, Clarence-Rockland, pt The Nation; pt Alfred and Plantagenet																
Singles and Semi-Detached	250	250	240	234	234	234	235	226	217	218	217	218	212	209	209	3,403
Townhouses, Row Housing, etc.	104	103	87	84	84	83	84	81	79	78	79	79	78	76	76	1,255
Apartments	102	102	138	143	151	141	150	151	151	150	141	150	151	151	151	2,123
Total	456	455	465	461	469	458	469	458	447	446	437	447	441	436	436	6,781
FPE02 eastern portion of Counties including pt The Nation; pt Alfred and Plantagenet, Champlain, Hawkesbury and East Hawkesbury																
Singles and Semi-Detached	45	45	44	45	45	44	45	45	45	45	44	45	45	45	45	672
Townhouses, Row Housing, etc.	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	210
Apartments	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	60
Total	63	63	62	63	63	62	63	63	63	63	62	63	63	63	63	942

Notes: 1. Assumed to be net of demolitions and conversions.

Grand Total Gross New Units in By-Law Area	7,723
Less: Statutorily Exempt Units in By-Law Area	-193
Total Net New Units in By-Law Area	7,530

4.4 Non-Residential Growth Forecast and Form D

The non-residential growth forecast (Tables 4-3 and 4-4) indicates that a total of 3,827,358 square feet of non-residential gross floor area (GFA) space and additions is anticipated within the United Counties of Prescott and Russell over the 15-year forecast period. Industrial and institutional additions, municipal and school board properties, which are exempt under the legislation, are expected to derive a net forecast of 2,153,005 square feet of net gross floor area. The employment density assumptions of are consistent with each municipal DC forecast of non-residential GFA:

**Table 4-3
United Counties of Prescott and Russell
Non-Residential Forecast of Net Gross Floor Area**

Forecast of Space Construction, New and Additions (sq ft)					
	Year	Commercial/ Population Related	Industrial	Institutional	Total
	2024/25	93,471	166,756	48,314	308,540
	2025/26	93,178	165,629	48,255	307,062
	2026/27	84,623	132,608	46,540	263,771
	2027/28	85,332	135,343	46,682	267,357
	2028/29	83,388	127,842	46,292	257,523
	2029/30	78,162	107,668	45,244	231,074
	2030/31	86,500	110,780	48,504	245,784
	2031/32	86,500	110,780	48,504	245,784
	2032/33	85,220	109,501	47,569	242,290
	2033/34	85,220	109,501	47,569	242,290
	2034/35	84,966	109,420	47,353	241,740
	2035/36	92,484	104,800	49,047	246,331
	2036/37	89,803	103,916	47,255	240,974
	2037/38	89,803	103,916	47,255	240,974
	2038/39	91,115	106,344	48,405	245,864
	Average Annual	87,300	120,300	47,500	255,200
	TOTAL NEW SPACE (SQ FT)	1,309,765	1,804,805	712,788	3,827,358
	As a % of GFA	34.2%	47.2%	18.6%	100.0%
	Less Statutorily Exempt GFA	231,828	911,426	531,098	1,674,353
	GFA	17.7%	50.5%	75%	
	Net Projected GFA	1,077,937	893,378	181,690	2,153,005

Should the CEPEO decide to adopt a non-residential rate in 2024, there are additional statutory exemptions that have been added to the legislation since the Board's EDC by-law was adopted in 2019.

As of November 8, 2019, non-residential statutory exemptions include:

- h. land owned by, and used for the purposes of, a board or a municipality
- i. 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*
 - 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
 - g. a university that receives regular and ongoing operating funds from the Government of Ontario for the purposes of post-secondary education
 - h. the owner of an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*
 - i. expansions to industrial buildings (gross floor area)
 - j. 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

Table 4-4 summarizes Form D of the EDC Submission:

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.

TABLE 4-4

**Conseil des Écoles Publiques de l'Est de l'Ontario
 Education Development Charges Submission 2024
 Form D - Non-Residential Development
 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	3,827,358
Less: Board-Determined Gross Floor Area From Exempt Development	1,674,353
Net Estimated Board-Determined Gross Floor Area	2,153,005

Chapter 5 - DEMOGRAPHIC TRENDS AND FUTURE ENROLMENT EXPECTATIONS

5.1 Demographic and Enrolment Trends

The Conseil des écoles publiques de l'Est de l'Ontario provides French-language education services in the United Counties of Prescott and Russell and beyond.

5.1.1 Overview

The determination of growth-related land needs over a 15-year forecast period begins with undertaking by school and by grade enrolment projections for the Board. The analysis set out herein examines both historic demographic and enrolment trends within the Board's jurisdiction. The determination of 15-year enrolment projections uses a spatial matching of historical CEPEO student data with MPAC housing data (i.e. by period of occupancy), in order to derive the number of CEPEO pupils to be generated by new housing development and to determine appropriate by school and by grade enrolments.

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

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

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 in children per household in high-rise developments due to reduced housing affordability.

How have *migrations trends* changed, as a whole and by age cohort? How has the economy affected the in-migration and out-migration of female persons between the ages of 20 to 35 (i.e., those who account for the majority of the household births)? Has the *ethnic make-up of the migrant population* changed and, if so, how might this affect projected enrolment for the French language school boards in particular? What is the *religious affiliation of the migrant population*? It should be noted that religion is only asked every second Census undertaking. However, the 2021 Census undertaking provides more detailed information on country of origin and it is possible to match this data with countries of origin that have a high percentage of Catholics.

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. Higher interest rates and reduced availability of affordable housing will have a negative impact on births.

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

- a. 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?
- b. Have changes in *program delivery* affected the Board's enrolment)?
- c. How has the Board's *share of elementary/secondary enrolment* changed vis-à-vis the coterminous boards and private school and secular enrolment?

5.1.2 Population and Housing

Statistics Canada released the population and dwelling unit data related to the 2021 Census undertaking. This data provides insights into demographic shifts by dissemination areas¹ in the Counties and for local municipalities as a whole. This information is the primary source of the school and pre-school age population trends discussed herein as they relate to the United Counties of Prescott and Russell jurisdiction.

Table 5-1 compares the pre-school and school age population between 2011-2016 and 2016-2021 Census periods, illustrating the changing trends which will impact future enrolment growth for the Board.

As shown in the table, the pre-school age population (ages 0-3) increased by 280 persons or 7.7% between 2011 and 2021. The elementary school age population (ages 4-13) increased by 1,590 persons or 16.6% from 2011 to 2021. From 2011 to 2021 the secondary school age population (ages 14-17) decreased by 750 persons or 15.5%. Within the pre-school population category, the highest increase 2011 to 2021 occurred in the Township of Russell, with the largest decrease in the Town of Hawkesbury. Within the elementary school aged population category there was an increase of more than 615 persons in the City of Clarence-Rockland between 2011 and 2021. Each municipality within the United Counties experienced a decline in secondary school age persons between 2011 and 2021. Finally, the largest increase in females of primary child bearing age (25-39 years) occurred in the Township of Russell, which is associated with the increase in pre-school population.

¹ A dissemination area is Census geography generally 400 to 700 persons in size.

United Counties of Prescott and Russell - Change in Pre-school & School-age Population 2011 to 2021																												
	2011 Census				2016 Census				2021 Census				Census 2011 - 2021 Change 14-17 years	Census 2011 - 2021 Change 4-13 years	Census 2011 - 2021 Change 0 to 3 years	Females of Primary Child Bearing Age 25-39 years	Census 2011 - 2021 Change 14-17 years	Census 2011 - 2021 Change 4-13 years	Census 2011 - 2021 Change 0 to 3 years	Females of Primary Child Bearing Age 25-39 years	Census 2011 - 2021 Change 14-17 years	Census 2011 - 2021 Change 4-13 years	Census 2011 - 2021 Change 0 to 3 years	Females of Primary Child Bearing Age 25-39 years	Census 2011 - 2021 Change 14-17 years	Census 2011 - 2021 Change 4-13 years	Census 2011 - 2021 Change 0 to 3 years	Females of Primary Child Bearing Age 25-39 years
	Pre School Age 0-3 years	Elementary School Age 4-13 years	Secondary School Age 14-17 years	Females of Primary Child Bearing Age 25-39 years	Pre School Age 0-3 years	Elementary School Age 4-13 years	Secondary School Age 14-17 years	Females of Primary Child Bearing Age 25-39 years	Pre School Age 0-3 years	Elementary School Age 4-13 years	Secondary School Age 14-17 years	Females of Primary Child Bearing Age 25-39 years																
Alfred and Plantagenet	350	890	530	695	435	935	355	845	470	1,040	350	935	120	150	-180	240												
Casselman	175	395	210	325	130	395	205	295	130	475	155	335	-45	80	-55	10												
Champlain	260	895	395	585	230	840	380	535	250	735	385	590	-10	-160	-10	5												
Clarence-Rockland	1,100	2,740	1,330	2,225	1,155	2,935	1,175	2,245	1,070	3,355	1,150	2,485	-30	615	-180	260												
East Hawkesbury	105	330	190	225	115	300	155	245	120	355	115	260	15	25	-75	35												
Hawkesbury	345	875	480	740	275	925	400	680	295	860	335	720	-50	-15	-145	-20												
Russell	715	2,105	1,040	1,370	720	2,285	965	1,445	950	2,650	995	2,010	235	545	-45	640												
The Nation / La Nation	605	1,365	670	1,205	770	1,530	520	1,325	650	1,715	610	1,365	45	350	-60	160												
Total United Counties	3,655	9,595	4,845	7,370	3,830	10,145	4,155	7,615	3,935	11,185	4,095	8,700	280	1,590	-750	1,330												

In terms of future shifts in age structures within United Counties of Prescott and Russell neighbourhoods, the percentage of the neighbourhood population over the age of 65 years, as a % of the total population, is one of the indicators of future re-gentrification and re-occupancy of dwellings. As to the impact on future CEPEO enrolment, that is something to be monitored over time.

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

The end of this chapter summarizes the elementary and secondary 15-year EDC enrolment projections for the CEPEO.

5.2.1 Methodology

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

The second part of the projection exercise is to determine how many pupils would be generated by new 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." 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. Existing community projections may also include some pupils who live outside of the Board's jurisdiction, but attend schools of the Board.

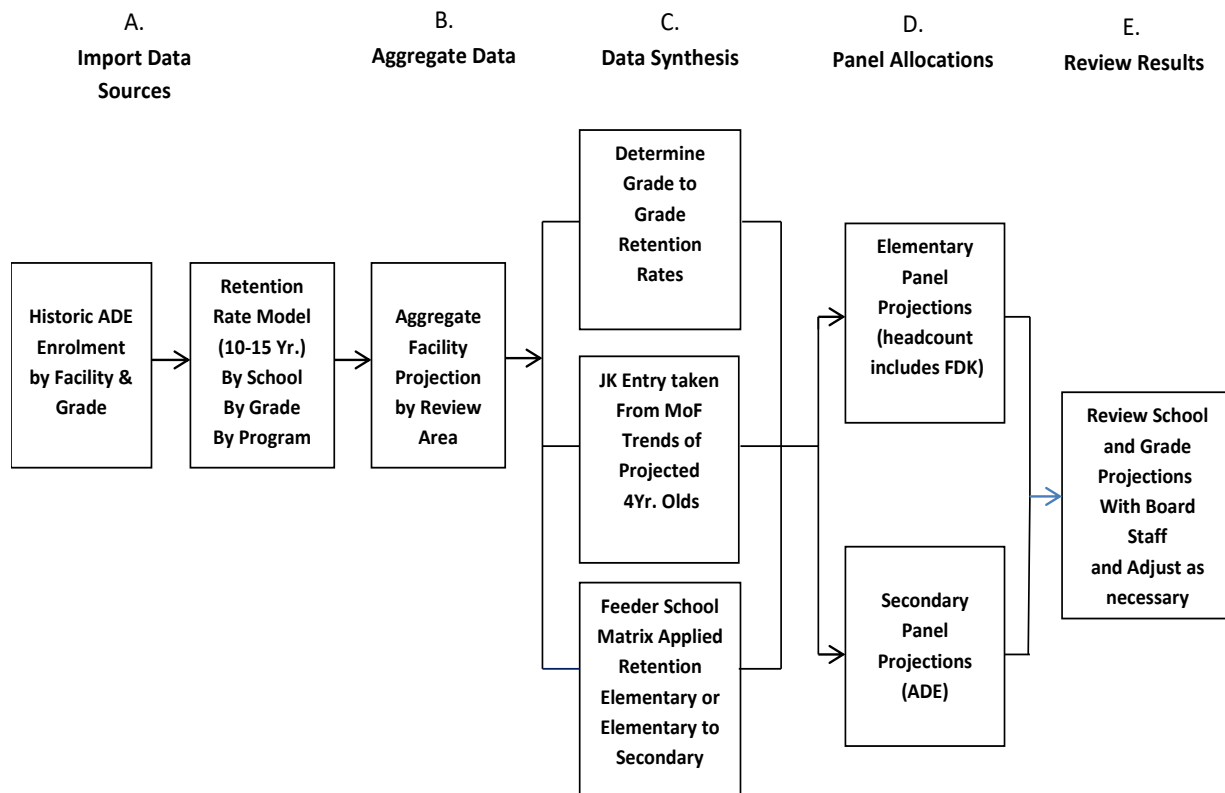
The key components of the existing community projection model are outlined in Figure 1.

1. Enrolment projections disaggregated by sub-geography (i.e., review areas and within review areas) and by school.

- Historic average daily enrolment by school, by grade and by program. This information is verified against the Board’s Financial Statements. 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. Finally, this information provides an indication of holding situations where pupils are provided with temporary accommodation awaiting the construction of additional pupil spaces.

FIGURE 1

PUPIL REQUIREMENTS OF THE EXISTING COMMUNITY



- 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 Boards’ share of enrolment at any particular school, or more recent retention rates of any school or particular grade?
- Feeder school retentions for each elementary and secondary school -- this includes pupils feeding into specialized programs (e.g., French Immersion, Extended French, Gifted, etc. where applicable) and from elementary schools into secondary schools. For the CEPEO, Grade 6 students are directed to a Gr 7-12 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 coterminous 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.

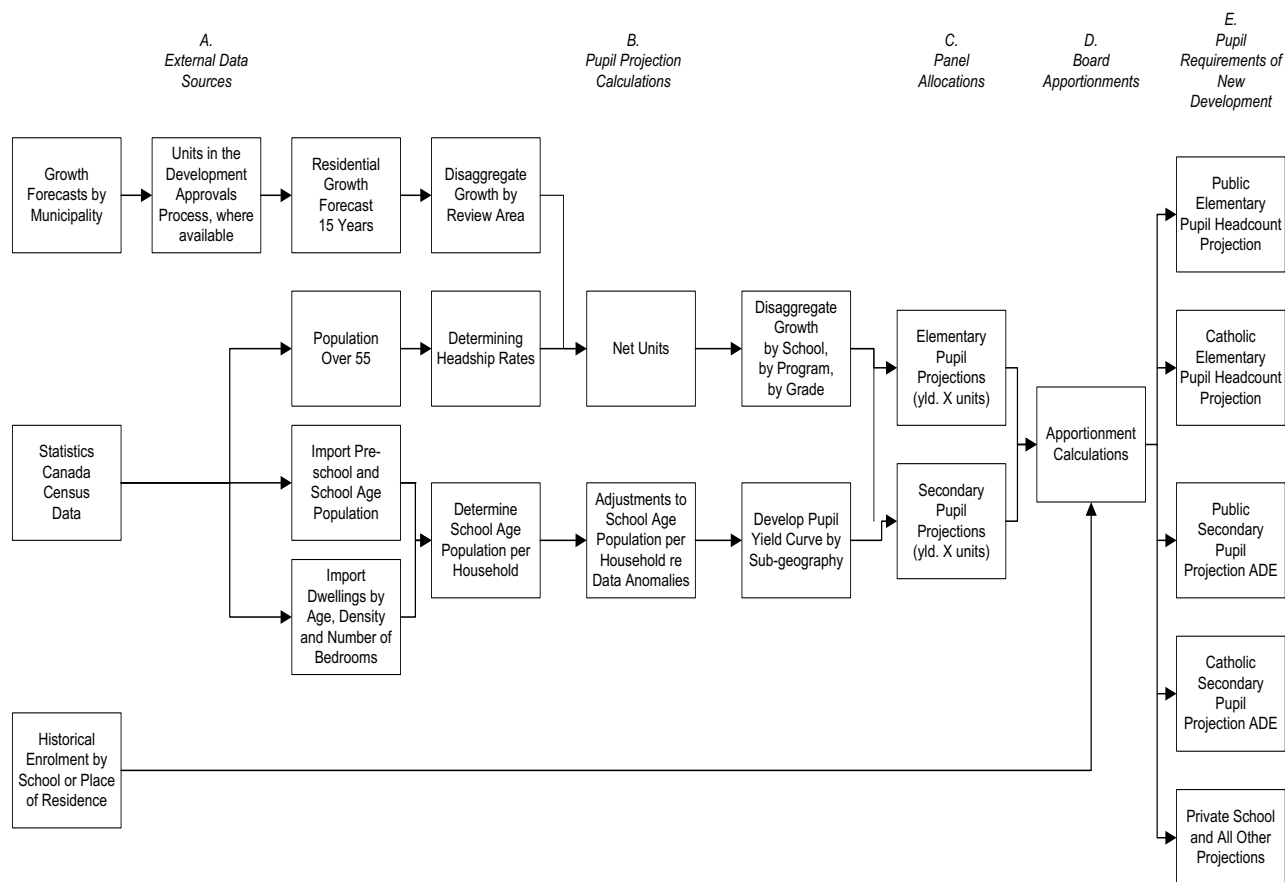
Requirements of New Development

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 in Figure 2.

1. Units in the development approvals process – a spatial matching of the development forecast and development applications by municipal address, as well as Board-approved elementary attendance boundaries, is used as one of the considerations in deriving the detailed fifteen-year housing forecast by school catchment area, by unit type and for any high-rise development applications - the number of proposed bedrooms per unit.
2. Municipal growth forecast – the United Counties of Prescott and Russell’s draft 2023 DC housing forecast was used as the basis for the City-wide 15-year control totals, 5-year increments and density mix.
3. Pupil yield cycles derived from historical CEPEO student data spatially matched to MPAC housing data by period of housing construction over the last 15-years (to derive 15-year pupil yield cycles), by density type and by Review Area. The pupil yields cycles were subsequently applied to each of the development application comprising the housing forecast by school.
4. Age-specific Ministry of Finance (MoF) population projections for the United Counties of Prescott and Russell were reviewed and the historical CEPEO apportionment share applied to determine the order of magnitude of projected enrolment increases, consistent with fertility and net migration assumptions underlying the MoF projections. The total Requirements of New Development plus Requirements of the Existing Community were peer-reviewed against the MoF projections. Although it is noted that the MoF projections are higher than the projected enrolment increases for the coterminous United Counties of Prescott and Russell boards, over the forecast period.
5. The draft student enrolment projections were reviewed with Board staff and compared to internal enrolment projections and assumptions respecting apportionments shares, retention rate and phasing of residential development.
6. Figure 2 outlines the methodological approach in assessing the Requirements of New Development.

**FIGURE 2
PUPIL PLACE REQUIREMENTS OF NEW DEVELOPMENT: CONCEPTUAL SCHEMATIC**



The New Unit Pupil Yield Cycle

Figure 3 translates the impact of the single detached unit occupancy trend to a conceptual representation of the pupil yield cycle for these types of dwelling units. This figure illustrates a typical yield cycle for a new single detached dwelling unit, commencing at initial occupancy of the unit. In reality, there are several variables that affect the overall pupil yield cycle. Firstly, most new suburban 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 is important to note however, the length of time taken to secure building permit approvals; ensure that local infrastructure is available to accommodate the development; demand for new residential development and economic conditions affecting the timing of development can all affect the length of the pupil yield cycle.

It should be noted that new communities are generally comprised of:

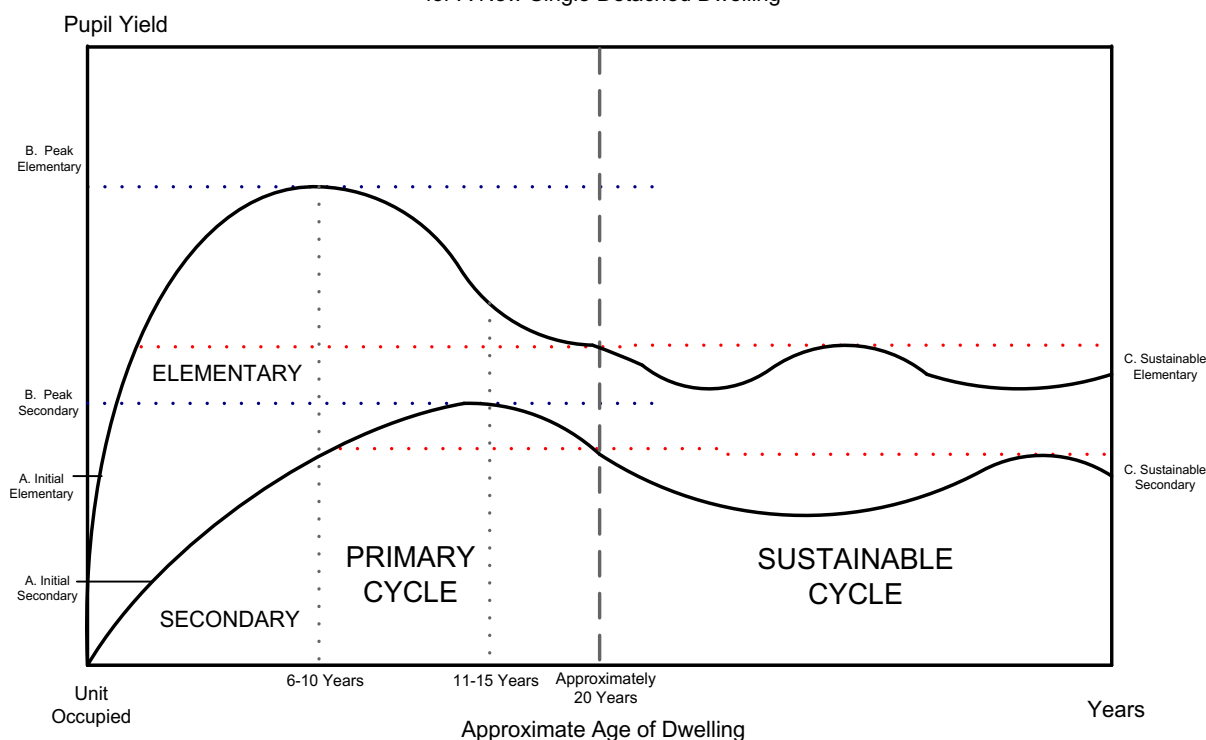
- Units constructed and occupied at different times;
- Development of varying densities (low, medium or high);

- There are particular types of units with low or no yield occupancies (e.g., adult lifestyle, permanent recreational, granny flats, etc.).

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

The primary yield cycle for elementary pupil yields in new single detached units generally peaks within the first 7 to 10 years of community development, depending on the timing of occupancy of the units. Recent demographic and occupancy trends, however, suggest that the family creation process is being delayed as many families are postponing having children and also having fewer children (as witnessed by declining fertility rates). More recent higher-interest mortgage rates will also affect family formation.

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



“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, but flatter, peaks and valleys. However, the peak of the sustainable cycle is considerably lower than the primary peak for the community.

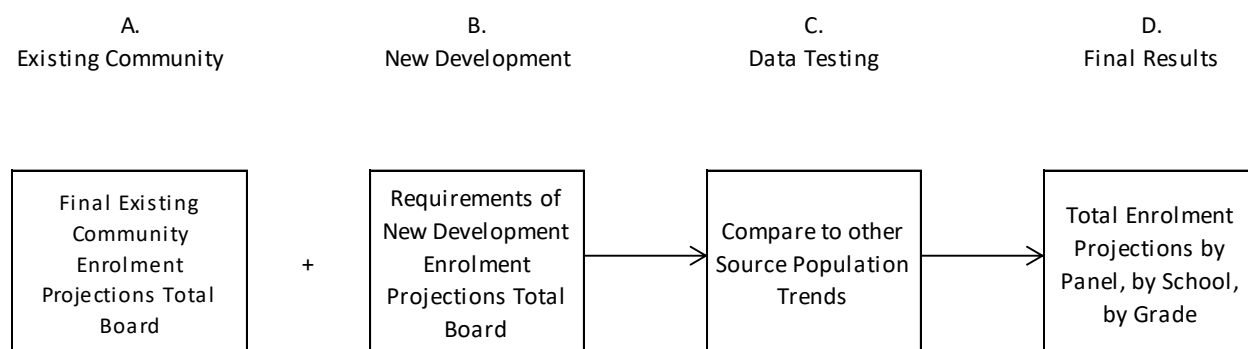
Total Student Enrolment Projections

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, as shown in Figure 4.

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. Moreover, there is a need to track the regentrification of more established neighbourhoods.

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

FIGURE 4



5.2.2 Summary of Board Enrolment Projections

Summaries of the total 15-year EDC enrolment, for the CEPEO, are provided in Table 5-2 and for the elementary and secondary panels. The total EDC elementary enrolment projections indicate that by the end of the 15-year forecast period, the Board will have a total enrolment of 1,461 students for an increase of 246 students from the 2023/24 actual enrolment of 1,215. The Board is expected to experience an increase of about 56 students in the existing community, which is projected to be enhanced by an additional 190 pupils from new housing development, which is an overall pupil yield of 0.0245.

On the secondary panel (Gr 7-12), the CEPEO EDC projections forecast an increase of 468 students in the existing community and 145 additional students to come from new development over the next 15 years. This results in a total projected year 15 enrolment of 1,218 students on the secondary panel, an increase of about 613 students from the 2023/24 enrolment. The overall secondary yield is 0.0188.

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

Elementary Panel	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
	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	2037/ 2038	2038/ 2039
Existing	1,215	1,201	1,182	1,177	1,162	1,164	1,157	1,180	1,196	1,212	1,228	1,241	1,251	1,258	1,266	1,271
Requirement of New Development		14	28	40	53	66	78	91	104	116	129	141	154	166	178	190
Total	1,215	1,215	1,210	1,218	1,214	1,229	1,235	1,272	1,300	1,328	1,357	1,382	1,404	1,424	1,444	1,461

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Secondary Panel	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
	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	2037/ 2038	2038/ 2039
Existing	605	658	725	808	874	924	1,030	1,031	1,035	1,041	1,030	1,045	1,030	1,051	1,063	1,073
Requirement of New Development		11	21	31	41	51	60	70	80	89	99	108	117	127	136	145
Total	605	668	746	839	915	975	1,090	1,101	1,115	1,130	1,129	1,153	1,147	1,177	1,199	1,218

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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.

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 (unless approved by the Minister of Education as part of an Alternative Project);
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 cases, school boards may agree to smaller site sizes where they are situated adjacent to parkland that is partially or wholly available for school program usage (i.e. preferably on an exclusive use basis during the school day). However, municipalities may be reluctant to allow shared usage of this land. The school board would likely be required to participate in cost sharing responsibilities related to operating costs and risk management. 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, etc.). Changes to program offering often translates into larger school buildings footprints, increased playfield space, parking spaces, site access, etc. that would require larger school sites. The EDC legislation deals with the acquisition of school sites exceeding the acreage benchmarks outlined above. School site sizes need to be determined on a site-specific basis and may be more or less than specified in the table above.

6.2 Increased Site Size Requirements

The EDC Guidelines (Section 2.3.8) require that “when the area of any of the proposed sites exceeds the site designations in this table (i.e. table above), justification as to the need for the excess land is required.” Larger site sizes than specified by the Regulation benchmark may be required to account for changing municipal parking standards and the impact of programs such as PCS, FDK and on-site daycare, greater site access needs, playfield space and pens, parking requirements; setbacks related to hydro or pipeline corridors, the potential to accommodate increased portables and a larger building footprint, etc. Where school site sizes include undevelopable table lands or lands that cannot be severed and sold off; or include the requirement for larger site sizes to address program or municipal site plan requirements; the entire site size can be considered EDC-eligible, provided that the appropriate explanation is given in the EDC Background Study report.

6.3 Reduced Site Size Considerations and Acquiring an Interest in Land

The section of the *Education Act* dealing with education development charges was designed, in 1998, to address the acquisition of lands in a greenfields setting – that is: designed to deal with the acquisition of conventional elementary and secondary site sizes in subdivision primarily comprised of ground-related housing development. The Regulation governing EDCs further established a maximum site size at 1.0 acre per 100 elementary pupils and slightly larger school site standards for secondary schools.

The legislative definition of education land costs included:

Costs to acquire land or an interest in land, including a leasehold interest, to be used by the Board to provide pupil accommodation; but excludes the costs of any building to be used to provide pupil accommodation.

As such, the costs related to constructing a school building could not be funded from the imposition of education development charges. However, in 2018, underground parking costs were included as EDC-eligible costs, where it could be demonstrated that the cost of the underground parking was less than the cost of surface parking.

Legislative changes in 2019 incorporating Alternative Projects afforded school boards with the flexibility to allocate EDC funds to the acquisition of land; the acquisition of an interest in land; or a leasehold interest as an alternative to the traditional land purchase process for school sites. An Alternative Project requires the approval of the Minister of Education and must have associated costs that are lower than the cost to acquire a conventional school site. Alternative Projects are not to replace costs that are supported by education funding sources (e.g., operating and facility renewal funds). It is noted that an ‘interest in land’ is not defined in the *Education Act*.

6.4 Site Requirements

The site requirements arising from new 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 are insufficient permanent pupil places to accommodate all projected students. Additional land for school sites may not be required where the board intends to construct additions to existing facilities to meet all or a portion of the requirements of new development over the forecast period (although, in some cases the acquisition of adjacent property and demolition of existing buildings may be required). Even in a greenfield situation, school additions constructed to accommodate enrolment growth may require additional site development (e.g., grading, soil remediation, upgrading utility services, removal of portables, demolition of existing buildings, etc.). 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 is particularly challenging in an intensified urban development environment.

6.5 Land Valuation Approach for School Sites

6.5.1 Valuation Approach

Land values for the proposed elementary site in the Rockland-Wendover area were taken from two sources: recent sales of fully serviced vacant land and land values ascribed to municipal libraires, community centres, fire stations, in the municipal development charge studies of Clarence-Rockland, Alfred and Plantagenet, and Russell. This research concluded 2024 land values of \$581,625 per acre.

6.6 Land Escalation over the Forecast Period

For the CEPEO Rockland-Wendover elementary site, an escalation factor of 4% per annum is applied. For the purposes of determining the potential unfunded net education land costs the escalation factor has been applied over the entire 15-year forecast period.

6.7 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, in a conventional land acquisition situation, 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 sites, many will require extensive soils remediation, potential demolition of existing buildings on the site, servicing infrastructure that needs replacement due to age (e.g., water services, sewer services, gas and utilities, transformers, etc.), on-site storm water management, off-site sidewalk and traffic upgrades, road service remediation and service crossing requirements, of ten as municipal site development requirements.

Prior to 2009, a board who qualified for pupil accommodation grants received \$4.50 per square foot to provide a cost allowance for: landscaping, seeding and sodding (which includes rough grade and spreading stock-piled top soil), fencing and screening, asphalt and concrete (play areas, parking and curbs), as well as some excavation and backfilling. However, the current capital funding model requires that a school board submit a capital priorities business case for funding approval once such an initiative is announced by the Ministry. The Ministry’s “Leading Practices Manual for School Construction” states that, “Ministry funding for capital construction assumes soil conditions that would result in strip foundations or similar and other routine site costs, such as final grading, back-filling, landscaping, parking and curbs, hard and soft play areas, and on-site services.”

The capital construction benchmarks are considerably less than is required to provide services to a school site in order to build a building or buildings to provide pupil accommodation. Further, there can be a delay in receiving approved capital funds from the province, which requires the Board to interim finance site preparation and school construction costs.

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.

EDC eligible site preparation/development costs related to conventional school site acquisition can 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.

In the case of acquiring a strata interest to meet growth-related student accommodation needs, the costs of preparing the development property so that a building or buildings may be built on the property, are included in the development construction costs.

6.7.1 Conclusions on Average Site Preparation/Development Costs

The CEPEO concluded that an average site preparation costs of \$240,000 per acre for both elementary and secondary school sites is reasonable based on the Board's actual costs.

An escalation factor of 2.5% per annum for site preparation/development costs has been applied, based on the Statistics Canada Quarterly Construction Price Index for the Ottawa area. Site preparation/development costs are escalated annually over the fifteen-year forecast period.

The Form Gs of the EDC Submission, set out in Appendix A, outline the assumed cost per acre (expressed in 2024 dollars), the assumed total land costs escalated to the year of site acquisition, or the end of the proposed by-law period, whichever is sooner, the site development costs and associated financing costs for each site required to meet the needs of the net growth-related pupil places.

Chapter 7 - -EDUCATION DEVELOPMENT CHARGE CALCULATION

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

7.1 Growth Forecast Assumptions

The net education land costs and EDC calculations for the Board were based on the following forecast of net new dwelling units for the 2024/25 to 2038/39 period, as detailed in Chapter 4 of this report:

RESIDENTIAL:

New Units	7.723
Average units per annum	515
Net new Units	502

NON-RESIDENTIAL:

The forecast of non-residential (includes commercial, industrial and institutional development) building permit value over the 2024/25 to 2038/39 period, as detailed in Chapter 4 of this report, is summarized as follows:

Net Gross Floor Area (GFA)	2,153,005 square feet
Average annual GFA	143,534 square feet

7.2 EDC Pupil Yields

In addition, 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, and by panel (elementary versus secondary) from new development, as set out in the Review Area Form Fs in Appendix A and described in detail in Chapter 5 of this report.

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

TABLE 7-1
Conseil des écoles publiques de l'Est de l'Ontario

Conseil des Écoles Publiques de l'Est de l'Ontario
 Education Development Charges Submission 2024
 Net Growth-related Pupil Places
Elementary Panel

CEPEO EDC 2024 Weighted Blended Pupil Yields

Review Area	Total Cumulative 15 Year New Net Unit Projections (1)	% Total Forecast Municipal Residential Growth (2)	SINGLE and SEMI-DETACHED	MEDIUM DENSITY	APARTMENTS (includes purpose-built seniors housing and student housing)	TOTAL UNITS	SINGLE and SEMI-DETACHED	MEDIUM DENSITY	APARTMENTS (includes purpose-built seniors housing)	TOTAL UNITS
FPE01 western portion of Counties including: Russell, Clarence-Rockland, pt The Nation; pt Alfred and Plantagenet	6,781	88%	3,403	1,255	2,123	6,781	0.0352	0.0255	0.0048	0.0239
FPE02 eastern portion of Counties including pt The Nation; pt Alfred and Plantagenet; Champlain, Hawkesbury and East Hawkesbury	942	12%	672	210	60	942	0.0352	0.0168	0.0048	0.0292
TOTAL	7,723	100%	4,075	1,465	2,183	7,723	0.0352	0.0243	0.0048	0.0245

Secondary Panel

Review Area	Total Cumulative 15 Year New Net Unit Projections (1)	% Total Forecast Municipal Residential Growth (2)	SINGLE and SEMI-DETACHED	MEDIUM DENSITY	APARTMENTS (includes purpose-built seniors housing and student housing)	TOTAL UNITS	SINGLE and SEMI-DETACHED	MEDIUM DENSITY	APARTMENTS (includes purpose-built seniors housing)	TOTAL UNITS
FPS01 United Counties of Prescott & Russell	7,723	100.0%	4,075	1,465	2,183	7,723	0.0240	0.0208	0.0076	0.0188
TOTAL	7,723	100.0%	4,075	1,465	2,183	7,723	0.0240	0.0208	0.0076	0.0188

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 sub-areas, or 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 model 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 total permanent capacity of all school facilities in the Board's inventory measured against the projected enrolment (i.e., headcount enrolment for the elementary panel and ADE enrolment for the secondary panel) from the existing community at the end of the fifteen-year forecast period. For schools that will experience a change in

school boundaries and are holding pupils to new schools, their existing community enrolment is shown separately as explained below.

4. Distinguish between schools whose existing community enrolment will continue to be impacted by housing development that has previously been constructed and occupied. These schools typically experience increased existing community enrolment and are those for which the school board expects to modify the school's boundaries once additional student accommodation is built. That is - distinguish between schools having new residential development within the school's attendance boundary and for which additional student accommodation will be required, and schools having no relevance to the residential growth area requiring additional pupil accommodation, and having sufficient surplus spaces to accommodate existing enrolment. This determines whether there are any surplus pupil places available and accessible for pupils generated by new development.
5. Determine Net Growth-related Pupil Place Requirements which is the Requirements of New Development plus Year 15 enrolment less the number of available pupil places in existing facilities (OTG capacity).
6. In determining the NGRPP entitlement going forward, account for all additional school capacity previously funded from capital and for which the Board is in the process of assembling the land parcels necessary to create a new school site or school site expansion. The net growth-related pupil place entitlement is subsequently incorporated into the Form G to determine the appropriate net education land costs based on aligning the EDC identified needs with the CEPEO's long-term student accommodation strategies.

In determining the net growth-related land needs, the Board is entitled to remove any OTG capacity that is not considered to be available to serve new development (e.g., surplus space in areas that are not within the resident catchment areas of new residential development, leased space, closed non-operational space, temporary holding space, etc.). In this regard, the CEPEO has taken into consideration all permanent and operational capacity that provides regular programs to elementary and secondary students.

Excluding Capacity from the Determination of Accommodation Needs

Section 7(3) of O. Reg. 20/98 enables a school board to exclude any capacity, that in the opinion of the school board is not available to accommodate enrolment growth generated by new housing development. Sections 9 (3 and 4) of the Regulation require the Board to provide an explanation for any capacity exclusions.

The CEPEO has not excluded any ECIS capacity in the determination of net growth-related pupil places. 23% of the pupils projected to be generated by new housing development will be accommodated in existing pupil places.

Determining Net Growth-related Pupil Place Requirements

Table 7-2 below sets out the projected net growth-related pupil place requirements (assuming a jurisdiction-wide approach to the calculation), including the determination of the requirements of the new development and the requirements of the existing community, by panel for the Conseil des écoles publiques de l'Est de l'Ontario.

Conseil des écoles publiques de l'Est de l'Ontario			
TABLE 7-2 Summary Determination of Net Growth-Related Pupil Places			
	JK-6	Gr 7-12	TOTALS
OTG Capacity (United Counties of Prescott & Russell Jurisdiction only)	1,379	545	1,924
Projected 2038/2039 Enrolment (Existing Community)	1,271	1,073	2,345
Requirements of New Development 2038/2039 (Headcount Elementary)	190	145	335
Less: NGRPP to be Accommodated in Existing Facilities	69	(145)	(76)
# of NGRPP Included in EDC Rate	259	0	259

23%

Notes: 259 ROND transferred from FPS01 to FPE01 for Gr 7/8s

7.4 Approved Capital Cost Per Pupil

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

1. Estimate the net education land cost for the elementary and secondary school sites required to provide new pupil places. surplus properties to be acquired from coteminous school boards; conventional school site purchases; land escalation costs and site preparation costs where applicable.
2. Estimate the balance of the existing EDC account, on the day prior to inception of the new EDC by-law, if any. If the balance is positive, subtract the balance from the net education land costs. If the balance is negative, add the balance to the net education land costs. In estimating the balance in the account, the Board is entitled to account for actual rather than projected growth-related needs.
3. Determine the portion of the charges related to residential development and to non-residential development based on the current EDC by-law proportionate shares

4. Differentiate the residential development charge by unit type if the Board intends to impose a variable residential rate.
5. For each year of the proposed by-law, determine the legislative ‘cap’ rates, ensuring that the ‘capped’ residential and non-residential rates are lower than, or equal to, the calculated rates.

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

The total net education land costs for the CEPEO, escalation of land, site acquisition costs, site development costs, associated financing costs and study costs, less any EDC account balances, are \$6,761,873 to be recovered from 7,530 “net” new units.

Should the legislation cap increases continue over the 2024/25 to 2038/39 forecast period, it is anticipated that the imposition of EDCs would recover 100% of the net education land costs, or \$6.76 million in residential collections (assuming the actual building permits match the projected). However, should land values increase in the western urban areas, at more than 5% per annum, then there could be an additional funding shortfall.

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 ECIS #; the acreage; the # of temporary spaces (i.e., portables, portapak and relocatable modules) and the OTG capacity for EDC purposes;
- 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, as well as the projected ROND derived from local development charge and growth management plan studies;
- a description of the growth-related site acquisition needs; the number of eligible acres; the anticipated cost per acre; the anticipated strata costs where applicable; the site preparation costs; financing costs and total education land costs (Form G).

7.6 EDC Accounts

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

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

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

Table 7-3 summarizes the EDC account collections from March 30, 2015 to June 30, 2024 for the CEPEO. The collections cover the period which corresponds to implementation of the original EDC by-law and includes collections from residential development, any interest earned on the account to date, any interest expense on account deficits to date and any refunds or overpayments during this time period. The total collections for the period March 30, 2015 to the end of August, 2023 are \$3.681 million as shown in Table 7-3.

Section 7(5) of O. Reg 20/98 requires that a board estimate the EDC account collections and eligible expenditures on the day immediately before the day the board intends to have the new by-law come into force. This “estimate” is typically undertaken several months in advance of the implementation of the new by-law. Actual collections for the period September through March during the 2019 through 2022 period was used as the basis for estimating additional EDC collections for the September, 2023 through June 30, 2024 period. Additional revenue of \$692,091 is assumed prior to successor by-law implementation.

Table 7-3 calculates the “estimated” EDC account balance as of June 30, 2024 which is the day before the proposed in-force date of the new by-law. The total EDC collections from March 30, 2015 to June 30, 2024 are expected to be \$4.37 million.

When EDC expenditures on Table 7-4 are taken into consideration, the account balance as of June 30, 2024 is projected to be a surplus of \$ 278,537.

TABLE 7-3
Conseil des Écoles Publiques de l'Est de l'Ontario
EDC ACCOUNT RECONCILIATION - EDC Collections

United Counties of Prescott & Russell

March 30, 2015 to June 30, 2024 Continuity Statement to Determine Current EDC Account Balance and any
 Unfunded Financial Obligations

Date	EDC Collection	Cumulative EDC Collections
<i>DCB Bnkshmr L`phg 2/+1/04 sn @ft rs 20+1/04</i>	\$ 51,904	\$ 51,904
<i>DCB Bnkshmr Rdosdl adq0+1/04 sn @ft rs 20+1/05</i>	\$ 137,684	\$189,588
<i>DCB Bnkshmr Rdosdl adq0+1/05 sn @ft rs 20+1/06</i>	\$ 238,703	\$428,291
<i>DCB Bnkshmr Rdosdl adq0+1/06 sn @ft rs 20+1/07</i>	\$ 265,921	\$694,212
<i>DCB Bnkshmr Rdosdl adq0+1/07 sn @ft rs 20+1/08</i>	\$ 312,646	\$1,006,858
<i>DCB Bnkshmr Rdosdl adq0+1/08 sn @ft rs 20+1/1/</i>	\$ 338,544	\$1,345,402
<i>DCB Bnkshmr Rdosdl adq0+1/1/ sn @ft rs 20+1/10</i>	\$ 755,636	\$2,101,038
<i>DCB Bnkshmr Rdosdl adq0+1/10 sn @ft rs 20+1/11</i>	\$ 1,023,058	\$3,124,096
<i>DCB Bnkshmr Rdosdl adq0+1/11 sn @ft rs 20+1/12</i>	\$ 557,372	\$3,681,468
Plus:		
Projected EDC Collections September 1, 2023 to June 30, 2024	\$692,091	
Total Net EDC Collections March 30, 2015 to June 30, 2024		\$4,373,559
Projected EDC Account Balance as of June 30, 2024		\$278,537

TABLE 7-4
Conseil des Écoles Publiques de l'Est de l'Ontario
EDC ACCOUNT RECONCILIATION - EDC Expenditures - United Counties of Prescott & Russell

	Property Description	Property Size (acres)	Review Area Reference	% Growth-related	EDC Expenditures	Cumulative Expenditures
By-law #1 March 30, 2015 to March 31, 2019	<i>DCB Dnodnr ht qtr L`phg 2/+1/04 sn L`phg 20+1/08</i>					
	Study Costs			100%	\$ 51,904	\$ 51,904
	Other Eligible Costs			100%	\$ 1,022	\$ 52,926
	Rockland school site (north of Cnty Rd. 17)	7.78	FPS01	100%	\$ 956,942	\$ 1,009,868
	Elementary school site in Russell Village - 965 North Russell Rd.	5.93	FPE01	100%	\$ 61,340	\$ 1,071,208
	Carrefour Jeunesse site prep only for school addition		FPE01	100%	\$ 138,798	\$ 1,210,006
By-law #2	Study Costs			100%	\$ 102	\$ 1,210,108
	Other Eligible Costs			100%	\$ 53,715	\$ 1,263,823
	Elementary school site in Russell Village - 965 North Russell Rd.	5.93	FPE01	100%	\$ 2,525,434	\$ 3,789,257
	Nouvel Horizon addition site prep costs only		FPE02	100%	\$ 293,932	\$ 4,083,189
	De la Riviere Castor addition (site prep costs only)		FPE01	100%	\$ 11,833	\$ 4,095,022
	Total Expenditures March 30, 2015 to August 31, 2023				\$ 4,095,021.84	

7.7 Cash Flow Analysis and Forms H1 and H2

Table 7-4 set out a fifteen-year cash flow 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. As well, a sensitivity analysis is provided, for various non-residential ratios ranging between 0% and 40%.

The CEPEO expects to use an external Line of Credit which is available to cover any annual account deficits. School board finance staff advise that the current rate of borrowing is prime less 0.50%, or 6.7% and interest is accrued on annual surplus funds in the account at 5.45%. Should the CEPEO have the opportunity to accelerate the acquisition of land or an interest in land, in advance the timelines set out in the following cash flow analysis, then additional external borrowing may be required.

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

Cash Flow Assumptions:

- site acquisition costs, are assumed to escalate by 4.0% and site development costs are assumed to escalate at 2.5% per annum consistent with the background information provided in Chapter 6.
- site acquisition costs and site development costs are escalated over the full fifteen-year forecast period, in order to determine the potential funding shortfall related to the legislative rate cap, should it not be lifted during the forecast period;
- the education development charge account accrues 5.45% interest earnings per annum.

Scenario Comments:	
Conseil des Écoles Publiques de l'Est de l'Ontario	
BOTH PANELS	

Cashflow Assumptions	
A. EDC Account interest earnings (per annum)	5.45%
B. Credit Line Borrowing Rate	6.70%

TABLE 7-4
Conseil des Écoles Publiques de l'Est de l'Ontario
 Cashflow Analysis for Both Panels (Total Jurisdiction)

FORM H2 - Using Municipal DC New Occupied Dwellings PPUs					
Type of Development (Form B/C)	Net New Units	Total Requirements of New Development	Distribution Factor	Net Education Land Cost by Development Type	Differentiated Residential EDC Per Unit
Low Density	4,075	241	72%	\$4,878,151	\$ 1,197
Medium Density	1,465	66	20%	\$1,336,295	\$ 912
High Density	2,183	27	8%	\$547,427	\$ 251
TOTALS	7,723	334	100%	\$ 6,761,873	\$ 898

Conseil des Écoles Publiques de l'Est de l'Ontario Proposed EDC Rates 2019		
Non-Residential Share	Residential Rate	Non-Residential Rate
0%	\$898	\$0.00
5%	\$853	\$0.16
10%	\$808	\$0.31
15%	\$763	\$0.47
20%	\$718	\$0.63
25%	\$674	\$0.79
40%	\$539	\$1.26

	Year 1 2024/ 2025	Year 2 2025/ 2026	Year 3 2026/ 2027	Year 4 2027/ 2028	Year 5 2028/ 2029	Year 6 2029/ 2030	Year 7 2030/ 2031	Year 8 2031/ 2032	Year 9 2032/ 2033	Year 10 2033/ 2034	Year 11 2034/ 2035	Year 12 2035/ 2036	Year 13 2036/ 2037	Year 14 2037/ 2038	Year 15 2038/ 2039
Revenues															
1 Credit Line Borrowing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2 Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3 Estimated EDC Revenue (Residential) Per Unit \$ 898	\$ 454,410	\$ 453,535	\$ 461,415	\$ 458,788	\$ 465,793	\$ 455,286	\$ 465,793	\$ 456,162	\$ 446,531	\$ 445,655	\$ 436,899	\$ 446,531	\$ 441,277	\$ 436,899	\$ 436,899
4 Estimated EDC Revenue (Non-Residential) Per Sq.Ft \$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5 Subtotal EDC Revenue	\$ 454,410	\$ 453,535	\$ 461,415	\$ 458,788	\$ 465,793	\$ 455,286	\$ 465,793	\$ 456,162	\$ 446,531	\$ 445,655	\$ 436,899	\$ 446,531	\$ 441,277	\$ 436,899	\$ 436,899
6 Total Revenue	\$ 454,410	\$ 453,535	\$ 461,415	\$ 458,788	\$ 465,793	\$ 2,955,286	\$ 465,793	\$ 456,162	\$ 446,531	\$ 445,655	\$ 436,899	\$ 446,531	\$ 441,277	\$ 436,899	\$ 436,899
Expenditures															
7 Site acquisition costs (escalated at 4% per annum over the 15-year forecast period)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,830,543	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
8 Site preparation costs (escalated at 2.5% per annum over 15-year forecast period) ¹	\$ -	\$ -	\$ 1,732,813	\$ 1,005,385	\$ -	\$ -	\$ -	\$ 1,141,138	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
9 Study Costs	\$ 52,000	\$ -	\$ -	\$ -	\$ -	\$ 52,000	\$ -	\$ -	\$ -	\$ -	\$ 52,000	\$ -	\$ -	\$ -	\$ 52,000
10 Subtotal Projected Expenditures	\$ 52,000	\$ -	\$ 1,732,813	\$ 1,005,385	\$ -	\$ 2,882,543	\$ -	\$ 1,141,138	\$ -	\$ -	\$ 52,000	\$ -	\$ -	\$ -	\$ 52,000
11 Credit Line Borrowing Costs - Principal	\$ -	\$ -	\$ -	\$ -	\$ -	296,416	288,763	295,417	302,223	309,186	316,310	323,597	331,053	37,036	-
12 Credit Line Borrowing Costs - Interest	\$ -	\$ -	\$ -	\$ -	\$ -	39,584	47,237	40,584	33,777	26,814	19,690	12,403	4,947	88	-
13 Subtotal Borrowing Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 336,000	\$ 336,000	\$ 336,000	\$ 336,000	\$ 336,000	\$ 336,000	\$ 336,000	\$ 336,000	\$ 37,123	\$ -
14 Total Expenditures	\$ 52,000	\$ -	\$ 1,732,813	\$ 1,005,385	\$ -	\$ 3,218,543	\$ 336,000	\$ 1,477,138	\$ 336,000	\$ 336,000	\$ 388,000	\$ 336,000	\$ 336,000	\$ 37,123	\$ 52,000
15 Net Revenues/(Expenditures)	\$ 402,410	\$ 453,535	\$ (1,271,398)	\$ (546,597)	\$ 465,793	\$ (263,257)	\$ 129,793	\$ (1,020,976)	\$ 110,531	\$ 109,655	\$ 48,899	\$ 110,531	\$ 105,277	\$ 399,776	\$ 384,899
EDC Eligibility Analysis															
16 EDC Account, Opening Balance	\$ 278,537	\$ 680,948	\$ 1,171,594	\$ (35,952)	\$ (582,548)	\$ (116,756)	\$ (380,013)	\$ (250,220)	\$ (1,271,197)	\$ (1,160,666)	\$ (1,051,011)	\$ (1,002,112)	\$ (891,581)	\$ (786,304)	\$ (386,528)
17 Revenue Minus Expenditures	\$ 402,410	\$ 453,535	\$ (1,271,398)	\$ (546,597)	\$ 465,793	\$ (263,257)	\$ 129,793	\$ (1,020,976)	\$ 110,531	\$ 109,655	\$ 48,899	\$ 110,531	\$ 105,277	\$ 399,776	\$ 384,899
18 Sub total	\$ 680,948	\$ 1,134,483	\$ (99,803)	\$ (582,548)	\$ (116,756)	\$ (380,013)	\$ (250,220)	\$ (1,271,197)	\$ (1,160,666)	\$ (1,051,011)	\$ (1,002,112)	\$ (891,581)	\$ (786,304)	\$ (386,528)	\$ (1,628)
19 Credit Line - Principal Due at year end	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (2,203,584)	\$ (1,914,821)	\$ (1,619,404)	\$ (1,317,181)	\$ (1,007,995)	\$ (691,686)	\$ (368,088)	\$ (37,036)	\$ -	\$ -
20 Sub total	\$ 680,948	\$ 1,134,483	\$ (99,803)	\$ (582,548)	\$ (116,756)	\$ (2,583,597)	\$ (2,165,041)	\$ (2,890,601)	\$ (2,477,847)	\$ (2,059,006)	\$ (1,693,797)	\$ (1,259,670)	\$ (823,340)	\$ (386,528)	\$ (1,628)
21 Interest Earnings (12 months on Sub-total)		\$ 37,112	\$ 63,852	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
22 EDC 15-Year Forecast Account Closing Balance (includes O/S Principal owed)	\$ 680,948	\$ 1,171,594	\$ (35,952)	\$ (582,548)	\$ (116,756)	\$ (2,583,597)	\$ (2,165,041)	\$ (2,890,601)	\$ (2,477,847)	\$ (2,059,006)	\$ (1,693,797)	\$ (1,259,670)	\$ (823,340)	\$ (386,528)	\$ (1,628)
23 EDC 15-Year Forecast Cash Closing Balance (excludes O/S Principal owed)	\$ 680,948	\$ 1,171,594	\$ (35,952)	\$ (582,548)	\$ (116,756)	\$ (380,013)	\$ (250,220)	\$ (1,271,197)	\$ (1,160,666)	\$ (1,051,011)	\$ (1,002,112)	\$ (891,581)	\$ (786,304)	\$ (386,528)	\$ (1,628)

¹ No escalation applied beyond the 15-year timeframe.

² Includes any EDC Account surplus/deficit accruing from the Board's existing EDC by-law.

Total debt (principal only):	2,500,000
Total debt payments (principal and interest):	2,725,123
Debt at end of forecast period (principal only):	-
Year in which outstanding debt is fully funded:	2038/39
	(1,628)

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Explanation of the Cash Flow Analysis:

A. Revenues

- Line 1 incorporates proposed borrowing against an external Line of Credit, where required, and Line 2 is a subtotal of the external borrowing.
- Line 3 determines the EDC residential collections based on the current ‘calculated’ EDC by-law rates necessary to fully recover the growth-related net education land costs.
- Line 4 determines the non-residential collections based on the ‘calculated’ EDC rates, if there is a non-residential charge.
- Line 5 subtotals the EDC residential and non-residential collections based on the ‘calculated rates’.
- Line 6 states the total EDC collections plus available funds if external borrowing is applied.

B. Expenditures

- Line 7 brings forward into the calculation the annual site acquisition costs. The timing of the capital expenditures determines the number of years to which the land escalation factor of 4% is applied.
- Line 8 incorporates the site preparation/development costs, and escalates these costs at 2.5% per annum over the entire 15-year forecast period.
- Line 9 incorporates projected future study costs based on average historical expenditures.
- Line 10 totals all projected expenditures.
- Line 11 sets out the annual principal payments against any Line of Credit borrowing.
- Line 12 incorporates annual cost of borrowing (interest payments) against the Line of Credit and ensures that the principal borrowed can be paid back at the end of the 15-year forecast period.
- Line 13 totals the annual principal and interest payments required.
- Line 14 calculates total expenditures, including borrowing requirements by totaling Lines 11 and 13.
- Line 15 determines projected EDC collections less expenditures.

C. Cash Flow Analysis

- Line 16 extracts the “closing balance” from the previous year and describes it as the “opening balance” in the following year. The Year 1 balance is reflective of the projected EDC account balance as of the day prior to implementation of the proposed by-law
- Line 17 pulls forward the revenues less expenditures balance
- Line 18 calculates a sub-total of Lines 17 and 16
- Line 19 indicates the level of principal payments outstanding in any given year as part of calculating the total external financial obligations of the Board
- Line 20 indicates the total financial obligations including any principal payments outstanding
- Line 21 accrues EDC account interest earnings at 5.45% on the sub-total on the annual closing balance.
 - Line 22 is the total financial obligations outstanding including any principal payments less any interest earned to date.

- Line 23 indicates the total financial obligations excluding principal payments outstanding, if any.

7.8 Non-Residential Share

One of the key policy decisions to be made by the Board in advance of adopting the by-law, is the percentage of net education land costs to be recovered from residential and non-residential development (or residential only).

The apportionment of net education capital costs to determine the residential education development charge per unit and the non-residential rate per square foot of gross floor area was based on the residential/non-residential share approved by the Board in June, 2019 (i.e., 100% residential and 0% non-residential share). A sensitivity analysis outlining a range of possible residential EDC rates and comparable non-residential rates is set out in the top right-hand corner of the cash flow analysis. Non-residential shares ranging from 0% to 40% are determined for this purpose.

7.9 Education Development Charges

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

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

CALCULATION OF EDUCATION DEVELOPMENT CHARGES	
Total Growth-Related Net Education Land Costs (over 15-year forecast period including associated financing and study costs)	\$ 6,761,873
Site Acquisition Costs	\$ 2,326,500
Land Escalation Costs	\$ 504,043
Site Preparation Costs	\$ 3,542,916
Site Preparation Escalation Costs	\$ 336,420
Credit Line Interest Payments	\$ 225,123
Study Costs	\$ 208,000
Financial Obligations/Surplus (projected EDC Account Balance as of June 30, 2024)	\$ (278,537)
Interest Earnings	\$ (100,964)
Closing Account Balance	\$ (1,628)
Total Net New Units	7,530
Total Non-Residential, Non-Exempt Board-Determined GFA	2,153,005
Residential Education Development Charge Per Unit based on 100% of Total Growth-Related Net Education Land Costs	\$ 898
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 2024

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

Conseil des Écoles Publiques de l'Est de l'Ontario Education Development Charges Submission 2024 Form A - Eligibility to Impose an EDC

A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL (Primarily M-6)

Elementary Panel Board-Wide Capacity	Projected Elementary Panel Average Daily Enrolment Headcount						Elementary Average Projected Enrolment less Capacity
	Year 1 2024/ 2025	Year 2 2025/ 2026	Year 3 2026/ 2027	Year 4 2027/ 2028	Year 5 2028/ 2029	Average Projected Enrolment Over Five Years	
11,013	11,226	11,419	11,591	11,810	12,027	11,615	602

Projected enrolment does not include any elementary or secondary pupils generated by new housing development outside of the City of Ottawa and the United Counties of Prescott & Russell

A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL (Primarily Gr 7-12)

Secondary Panel Board-Wide Capacity	Projected Secondary Panel Average Daily Enrolment (ADE)						Secondary Average Projected Enrolment less Capacity
	Year 1 2024/ 2025	Year 2 2025/ 2026	Year 3 2026/ 2027	Year 4 2027/ 2028	Year 5 2028/ 2029	Average Projected Enrolment Over Five Years	
8,353	6,355	6,582	6,941	7,333	7,653	6,973	-1,380

A.2: EDC FINANCIAL OBLIGATIONS (Estimated to June 30 2024)

Adjusted Outstanding Principal:	\$4,095,022
Less Adjusted EDC Account Balance:	\$4,373,559
Total EDC Financial Obligations /Surplus:	\$278,537

**Conseil des Écoles Publiques de l'Est de l'Ontario
Education Development Charges Submission 2024
Forms B/C - Dwelling Unit Summary**

PROJECTION OF NET NEW DWELLING UNITS¹

	Year 1 2024/ 2025	Year 2 2025/ 2026	Year 3 2026/ 2027	Year 4 2027/ 2028	Year 5 2028/ 2029	Year 6 2029/ 2030	Year 7 2030/ 2031	Year 8 2031/ 2032	Year 9 2032/ 2033	Year 10 2033/ 2034	Year 11 2034/ 2035	Year 12 2035/ 2036	Year 13 2036/ 2037	Year 14 2037/ 2038	Year 15 2038/ 2039	Total All Units
United Counties of Prescott & Russell																
Singles and Semi-Detached	295	295	284	279	279	278	280	271	262	263	261	263	257	254	254	4,075
Townhouses, Row Housing, etc.	118	117	101	98	98	97	98	95	93	92	93	93	92	90	90	1,465
Apartments	106	106	142	147	155	145	154	155	155	154	145	154	155	155	155	2,183
Total	519	518	527	524	532	520	532	521	510	509	499	510	504	499	499	7,723
FPE01 western portion of Counties including: Russell, Clarence-Rockland, pt The Nation; pt Alfred and Plantagenet																
Singles and Semi-Detached	250	250	240	234	234	234	235	226	217	218	217	218	212	209	209	3,403
Townhouses, Row Housing, etc.	104	103	87	84	84	83	84	81	79	78	79	79	78	76	76	1,255
Apartments	102	102	138	143	151	141	150	151	151	150	141	150	151	151	151	2,123
Total	456	455	465	461	469	458	469	458	447	446	437	447	441	436	436	6,781
FPE02 eastern portion of Counties including pt The Nation; pt Alfred and Plantagenet; Champplain, Hawkesbury and East Hawkesbury																
Singles and Semi-Detached	45	45	44	45	45	44	45	45	45	45	44	45	45	45	45	672
Townhouses, Row Housing, etc.	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	210
Apartments	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	60
Total	63	63	62	63	63	62	63	63	63	63	62	63	63	63	63	942

Notes: 1. Assumed to be net of demolitions and conversions.

Grand Total Gross New Units in By-Law Area	7,723
Less: Statutorily Exempt Units in By-Law Area	-193
Total Net New Units in By-Law Area	7,530

Conseil des Écoles Publiques de l'Est de l'Ontario
Education Development Charges Submission 2024
Form D - Non-Residential Development
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	3,827,358
Less: Board-Determined Gross Floor Area From Exempt Development	1,674,353
Net Estimated Board-Determined Gross Floor Area	2,153,005

FORM E

Conseil des Écoles Publiques de l'Est de l'Ontario
Education Development Charges Submission 2024
Net Growth-related Pupil Places

Elementary Panel

CEPEO EDC 2024 Weighted Blended Pupil Yields

Review Area	Total Cumulative 15 Year New Net Unit Projections (1)	% Total Forecast Municipal Residential Growth (2)	Weighted Blended EDC Pupil Yield (3)	2024/25-2038/39 Pupil Requirements of New Development (4)=(3) x (1)	2023/24 OTG Capacity (5)	2038/39 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
FPPE01 western portion of Counties including: Russell, Clarence-Rockland, pt. The Nation, pt. Alfred and Plantagenet	6,781	88%	0.024	162	1,002	928	449	3,403	1,255	2,123	6,781
FPPE02 eastern portion of Counties including: pt. The Nation, pt. Alfred and Plantagenet; Champlain, Hawkesbury and East Hawkesbury	942	12%	0.0292	27	377	344	-	672	210	60	942
TOTAL	7,723	100%	0.0245	190	1,379	1,271	449	4,075	1,465	2,183	7,723

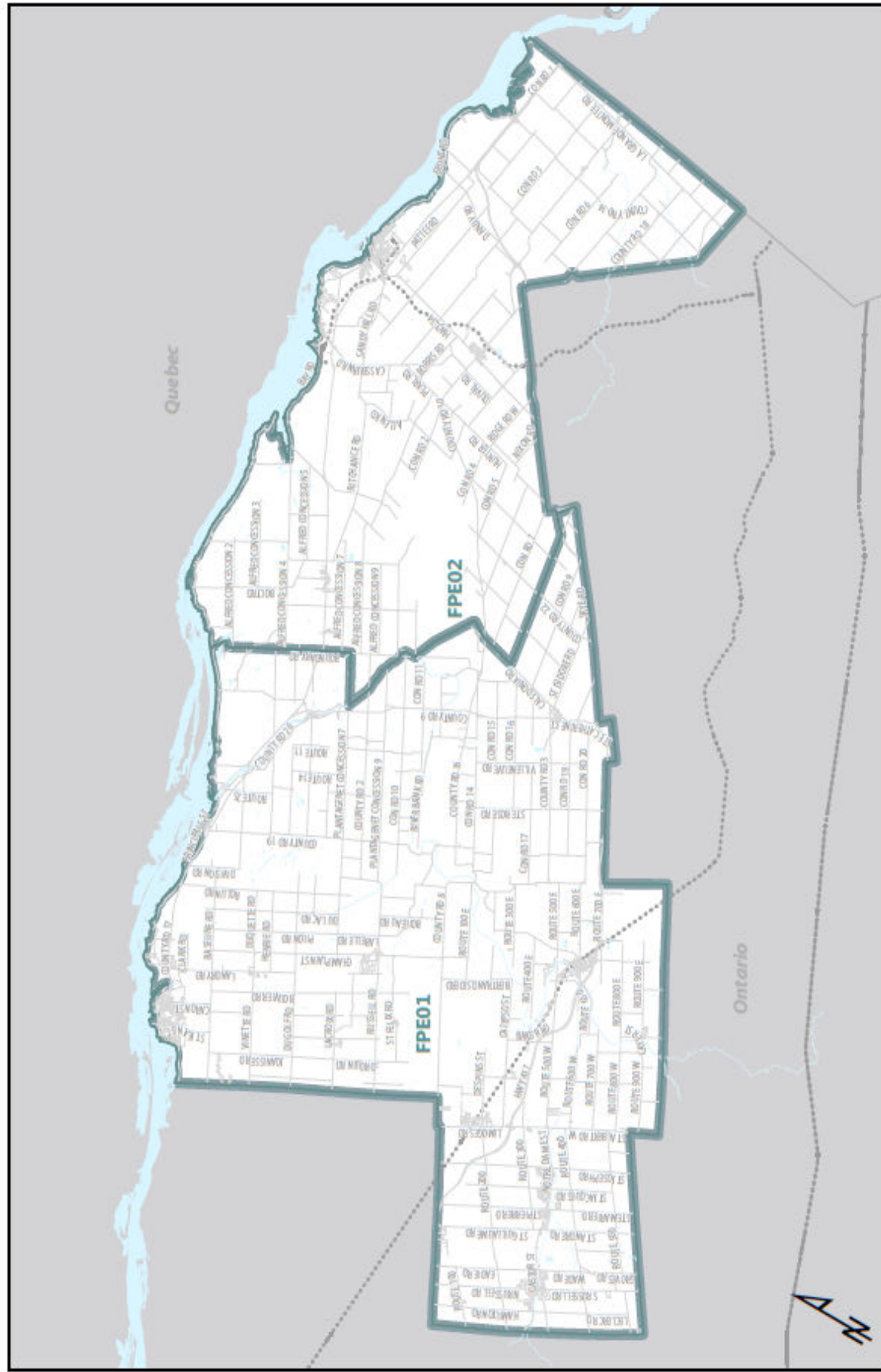
Secondary Panel

Review Area	Total Cumulative 15 Year New Net Unit Projections (1)	% Total Forecast Municipal Residential Growth (2)	Weighted Blended EDC Pupil Yield (3)	2024/25-2038/39 Pupil Requirements of New Development (4)=(3) x (1)	2023/24 OTG Capacity (5)	2038/39 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
FPSE01 United Counties of Prescott & Russell	7,723	100.0%	0.0188	145	545	1,073	414	4,075	1,465	2,183	7,723
TOTAL	7,723	100.0%	0.0188	145	545	1,073	414	4,075	1,465	2,183	7,723

TOTAL BOTH PANELS

	334	1,924	2,345	863
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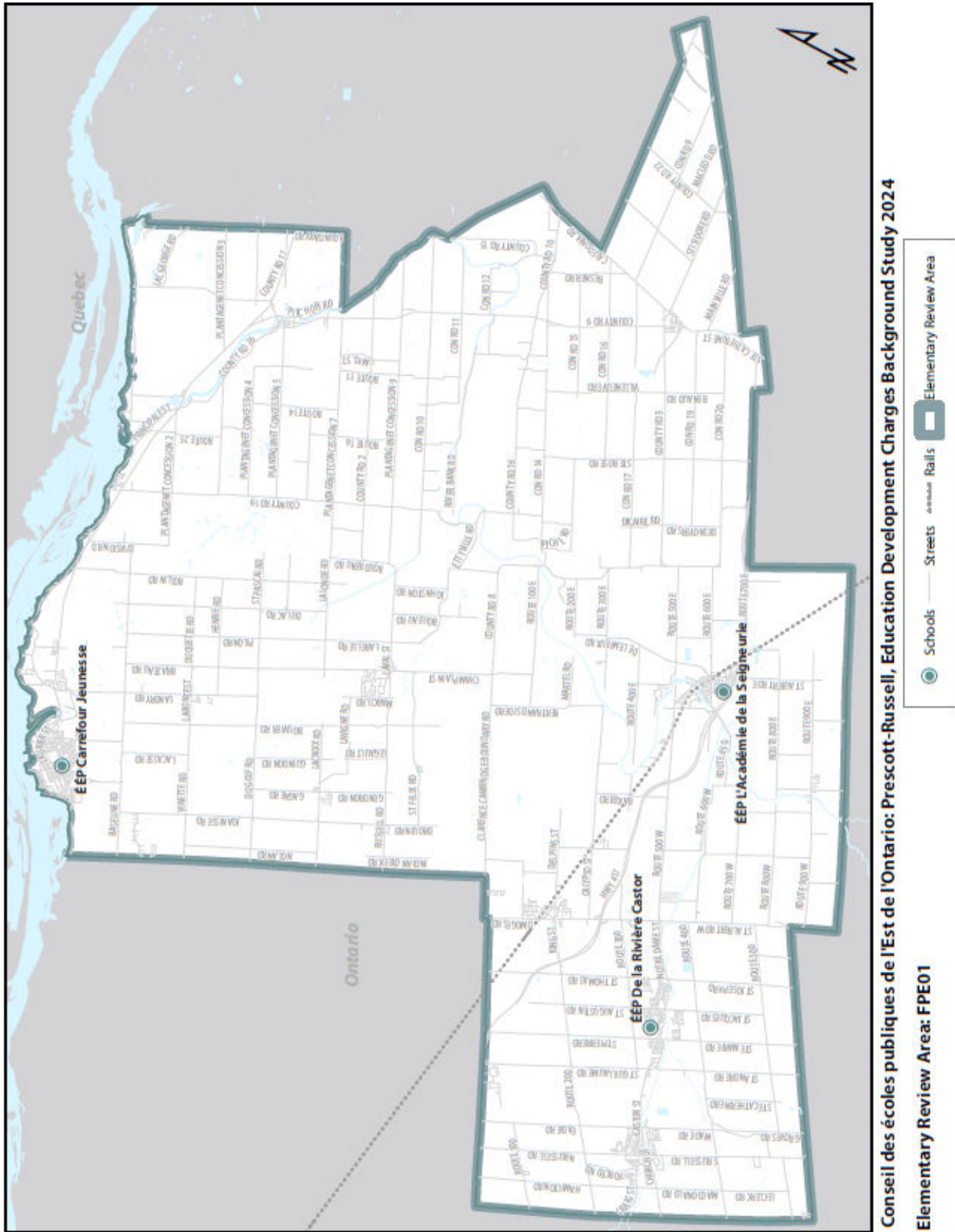
ELEMENTARY REVIEW AREAS



Conseil des écoles publiques de l'Est de l'Ontario: Elementary Review Area Boundary Overview



Review Area Map FPE01

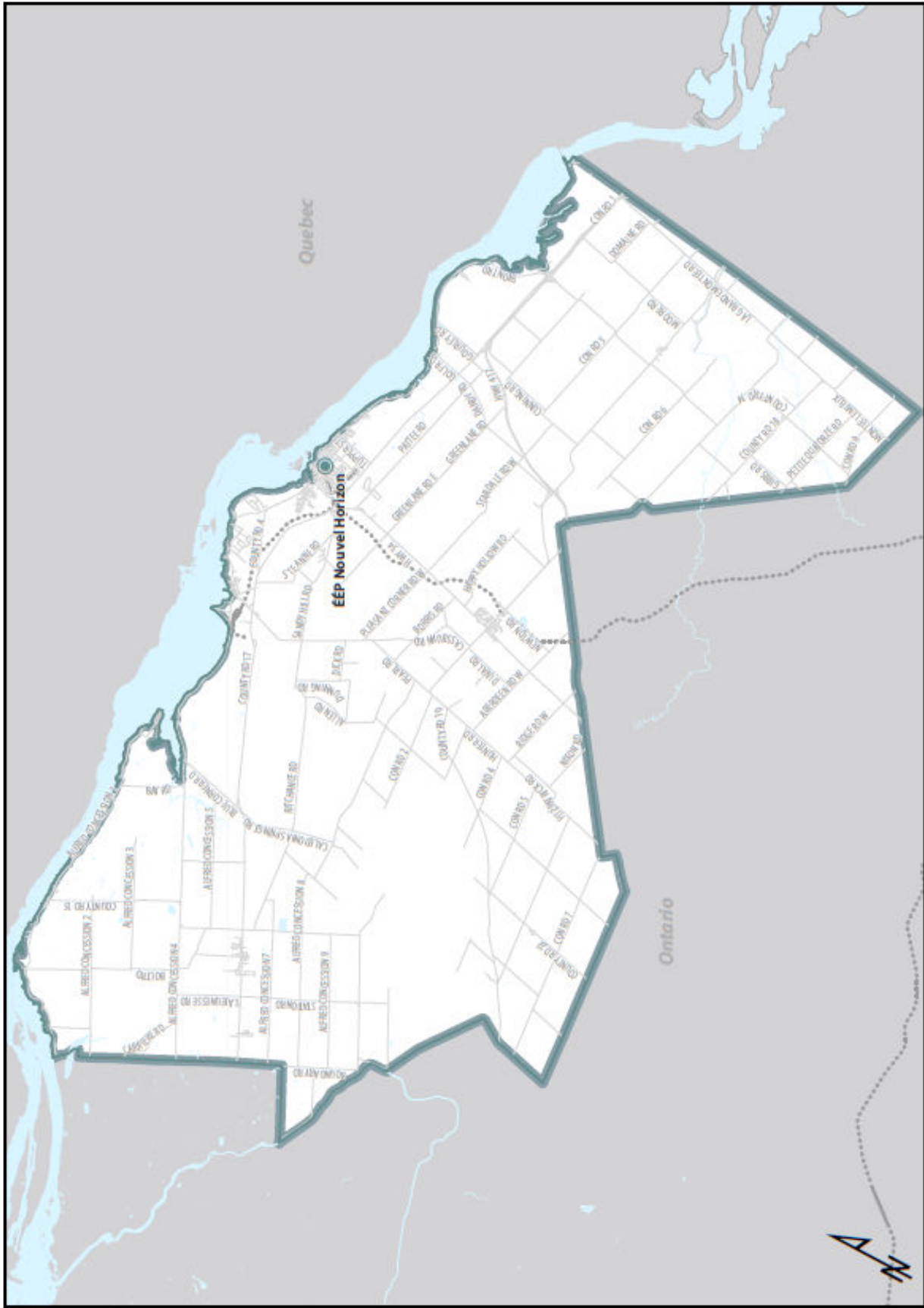


Conseil des écoles publiques de l'Est de l'Ontario: Prescott-Russell, Education Development Charges Background Study 2024

Elementary Review Area: FPE01

Schools
 Streets
 Rails
 Elementary Review Area

Review Area Map FPE02



Conseil des écoles publiques de l'Est de l'Ontario: Prescott-Russell, Education Development Charges Background Study 2024

Elementary Review Area: FPE02

Schools
 Elementary Review Area

Elementary Form G

Form G - Growth-related Elementary Net Education Lands Costs

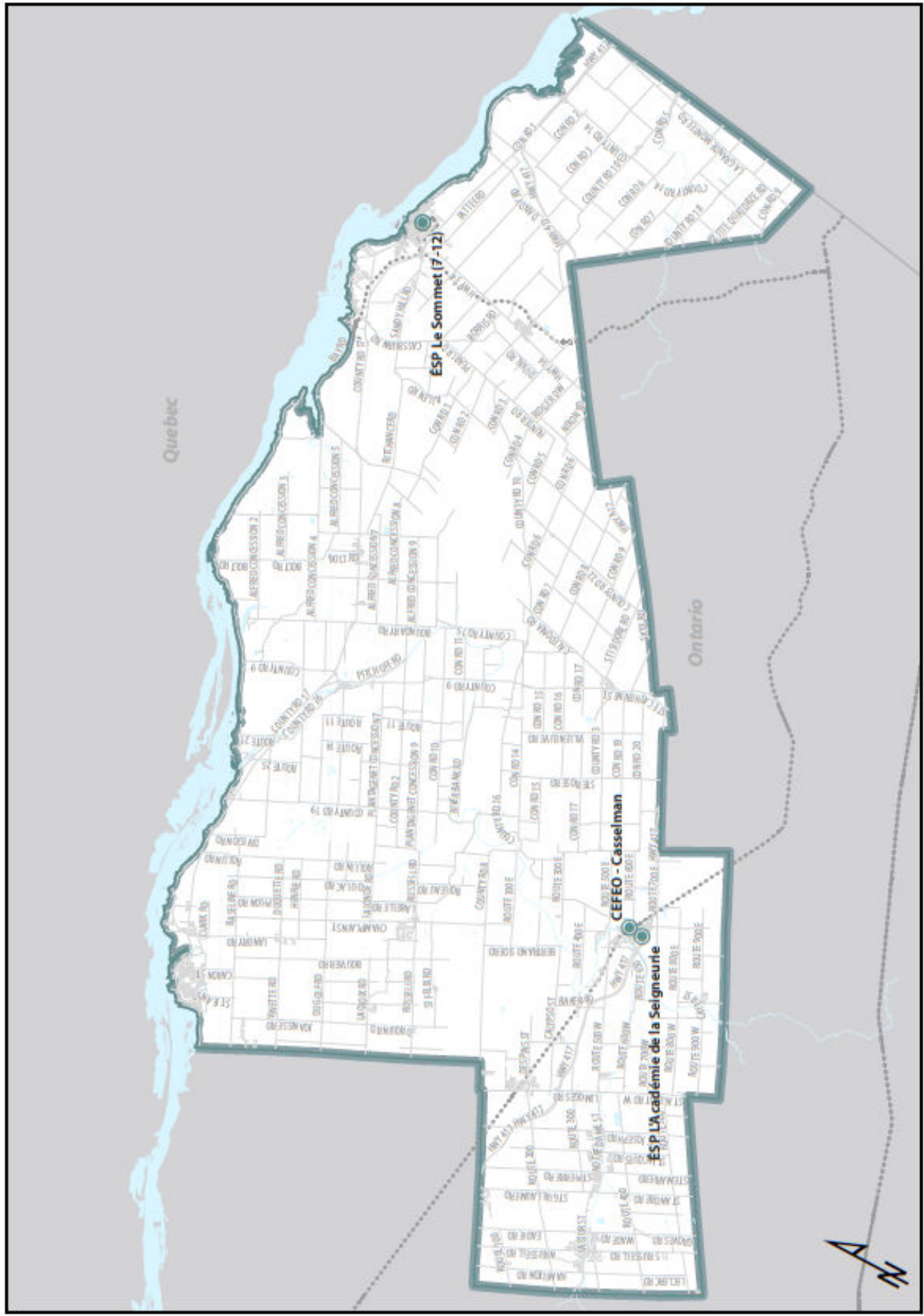
Review Area	Description of Growth-related Site Acquisition Needs	Site Status	Proposed Year of Acquisition	NGRPP Requirements	Proposed School Capacity	% of Capacity Attributable to NGRPP Requirements	Total # of Acres Required	EDC Eligible Acres	Cost per Acre	Education Land Costs
FPE01	Elementary school site in Russell Village	Owned	2024	190	259	73%	5.93	4.34	\$ 381,314	\$ 2,261,191
FPE01	Elementary school site in Rockland-Wendover area	TBD	2029	259	259	100%	4.00	4.00	\$ 581,625	\$ 2,326,500
Total Elementary Education Land Costs				449	518		9.9	8.3		\$ 4,587,691

Form G - Growth-related Elementary Net Education Lands Costs

Review Area	Description of Growth-related Site Acquisition Needs	Less Previously Funded Education Land Costs	Eligible Site Preparation Costs	Less Previously Funded Site Preparation Costs	Land Escalation Costs	Site Preparation Escalation Costs	Financing Costs	Total Education Land Costs Underlying Proposed EDC Rates
FPE01	Elementary school site in Russell Village	\$ (2,261,191)	\$ 1,041,299	\$ (325,583)	\$ -	\$ 36,233	\$ 25,229	\$ 777,178
FPE01	Elementary school site in Rockland-Wendover area	\$ -	\$ 960,000	\$ -	\$ 504,043	\$ 181,138	\$ 133,254	\$ 4,104,935
Total Elementary Education Land Costs		\$ (2,261,191)	\$ 2,001,299	\$ (325,583)	\$ 504,043	\$ 217,371	\$ 158,483	\$ 4,882,113

SECONDARY REVIEW AREAS

Review Area Map FPS01



Conseil des écoles publiques de l'Est de l'Ontario: Prescott-Russell, Education Development Charges Background Study 2024

Secondary Review Area: FPS01

Schools
 Streets
 Rails
 Secondary Review Areas

Conseil des Écoles Publiques de l'Est de l'Ontario - FORMS E AND F
EDUCATION DEVELOPMENT CHARGES SUBMISSION 2024

	Year 1 2024/25	Year 2 2025/26	Year 3 2026/27	Year 4 2027/28	Year 5 2028/29	Year 6 2029/30	Year 7 2030/31	Year 8 2031/32	Year 9 2032/33	Year 10 2033/34	Year 11 2034/35	Year 12 2035/36	Year 13 2036/37	Year 14 2037/38	Year 15 2038/39	Total Yr. 15 Growth- related Pupils
1. Secondary site in Rockland (previously funded from EDC account)																98
2. Redistricted Gr7/8 pupils to new elementary site in PF001																31
3.																17
4.																-
Total NGPPP																145
Projected Housing Growth																
Low Density																4,075
Medium Density																1,465
High Density - Apartments																2,183
High Density - Stacked Townhouses																-
Total Net Dwelling Units																7,723

Review Area: FPS01: United Counties of Prescott & Russell

	Year 1 2024/25	Year 2 2025/26	Year 3 2026/27	Year 4 2027/28	Year 5 2028/29	Year 6 2029/30	Year 7 2030/31	Year 8 2031/32	Year 9 2032/33	Year 10 2033/34	Year 11 2034/35	Year 12 2035/36	Year 13 2036/37	Year 14 2037/38	Year 15 2038/39	Total Yr. 15 Growth- related Pupils
Projected Housing Growth																
Low Density	295	295	284	279	279	278	280	271	262	263	261	263	257	254	254	2,544
Medium Density	118	117	101	98	96	97	98	98	93	93	92	93	92	90	90	900
High Density - Apartments	106	106	142	147	155	145	154	155	155	154	145	154	155	155	155	1,555
High Density - Stacked Townhouses																-
A Total Net Dwelling Units	519	518	527	524	532	520	532	521	510	509	499	510	504	499	499	4,999

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

	Current 2023/24	Year 1 2024/25	Year 2 2025/26	Year 3 2026/27	Year 4 2027/28	Year 5 2028/29	Year 6 2029/30	Year 7 2030/31	Year 8 2031/32	Year 9 2032/33	Year 10 2033/34	Year 11 2034/35	Year 12 2035/36	Year 13 2036/37	Year 14 2037/38	Year 15 2038/39	Total Yr. 15 Growth- related Pupils
Review Area Schools																	
B1																	
B2																	
B3																	
B4																	
B5																	
B6																	
B7																	
B8																	
B9																	
B10																	
Totals																	
Total ROND																	0
Total Surplus Pupil Spaces																	0.00

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

	Current 2023/24	Year 1 2024/25	Year 2 2025/26	Year 3 2026/27	Year 4 2027/28	Year 5 2028/29	Year 6 2029/30	Year 7 2030/31	Year 8 2031/32	Year 9 2032/33	Year 10 2033/34	Year 11 2034/35	Year 12 2035/36	Year 13 2036/37	Year 14 2037/38	Year 15 2038/39	Total Yr. 15 Growth- related Pupils
Review Area Schools																	
C1 ESP Le Sommet 7-12 (SVH)	401	396	406	443	465	456	505	487	478	471	460	481	465	473	481	488	4,888
C2 ESP new Rockland secondary school (7-12)																	
C3 ESP L'Académie de La Seigneurie 7-12 (SAC)	144	229	253	252	260	259	277	271	272	278	271	266	256	266	266	271	2,711
C4																	
C5																	
C6																	
C7																	
C8																	
Totals	545	625	668	695	745	715	780	758	750	749	731	747	721	739	747	759	7,599
Total Pupil Spaces Available to Accommodate Growth																	
Requirements of New Development for Growth Areas (Cumulative)																	
C Total Pupil Spaces Available to Accommodate Growth																	
D Requirements of New Development for Growth Areas (Cumulative)																	
Totals																	
ROND																	3
Existing Site Size																	10.97
# of Portables																	0
ROND																	47
Existing Site Size																	6.82
# of Portables																	0
ROND																	78
Existing Site Size																	17.80
# of Portables																	3
ROND																	145
Existing Site Size																	17.80
# of Portables																	0
ROND																	145
Existing Site Size																	17.80
# of Portables																	3

Note: The Board is evaluating any available capacity found in Section E (above) in that projected housing development is outside of the catchment areas of these schools.

Secondary Form G

Form G - Growth-related Secondary Net Education Lands Cost:

Review Area	Description of Growth-related Site Acquisition Needs	Site Status	Proposed Year of Acquisition	NGRPP Requirements	Proposed School Capacity	% of Capacity Attributable to NGRPP Requirements	Total # of Acres Required	EDC Eligible Acres	Cost per Acre	Education Land Costs
FPS01	New secondary school site in Rockland	Owned	2024	414	414	100%	7.78	7.78	\$ 123,000	\$ 956,942
Total Secondary Education Land Costs				414	414		7.8	7.8		\$ 956,942

Form G - Growth-related Secondary Net Education Lands Costs

Review Area	Description of Growth-related Site Acquisition Needs	Less Previously Funded Education Land Costs	Eligible Site Preparation Costs	Less Previously Funded Site Preparation Costs	Land Escalation Costs	Site Preparation Escalation Costs	Financing Costs	Total Education Land Costs Underlying Proposed EDC Rates
FPS01	New secondary school site in Rockland	\$ (956,942)	\$ 1,867,200	\$ -	\$ -	\$ 119,049	\$ 66,641	\$ 2,052,889
Total Secondary Education Land Costs		\$ (956,942)	\$ 1,867,200	\$ -	\$ -	\$ 119,049	\$ 66,641	\$ 2,052,889

**Conseil des Écoles Publiques de l'Est de l'Ontario
Education Development Charges Submission 2024
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)	\$ 6,832,410
Total	Unfunded Financial Obligations	\$ -
Less	Positive EDC Account Balance	\$ 278,537
Subtotal	Growth-Related Net Education Land Costs	\$ 6,553,873
Add	EDC Study Costs	\$ 208,000
Total	Growth-Related Net Education Land Costs	\$ 6,761,873

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%	\$ 6,761,873

Calculation of Uniform Residential Charge

Residential Growth-Related Net Education Land Costs	\$ 6,761,873
Net New Dwelling Units (Form C)	7,530
Uniform Residential EDC per Dwelling Unit	\$ 898

Calculation of Non-Residential Charge - Use Either Board

Non-Residential Growth-Related Net Education Land Costs		\$ -
GFA Method	Non-Exempt Board-Determined GFA (Form D)	2,153,005
	Non-Residential EDC per Square Foot of GFA	\$ -

Conseil des Écoles Publiques de l'Est de l'Ontario
 Ontario Ministry of Education
 Education Development Charges Submission 2024
 Form H2 - EDC Calculation - Differentiated Residential and Non-Residential

Residential Growth-Related Net Education Land Cost \$ 6,761,873

united Counties of Prescott & Russell 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	4,075	0.0352	143	75.69%	0.0240	98	67.50%	241	72.14%
Medium Density	1,465	0.0243	36	18.78%	0.0208	31	21.05%	66	19.76%
High Density	2,183	0.0048	10	5.53%	0.0076	17	11.45%	27	8.10%
Total Units	7,723	0.0245	190	100.00%	0.0188	145	100.00%	334	100.00%

Jurisdiction-wide Cost per Dwelling Unit \$898

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	New Units	Differentiated Residential EDC per Unit by Development Type
Low Density	\$4,878,151	4,075	\$ 1,197
Medium Density	\$1,336,295	1,465	\$ 912
High Density	\$547,427	2,183	\$ 251
Total EDC Revenue Generated:	\$6,761,873	7,723	

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APPENDIX B - DRAFT EDC BY-LAW

EDUCATION DEVELOPMENT CHARGES BY-LAW CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO BY-LAW No. 01-2024-RAS-P&R

A By-Law for the imposition of education development charges

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

AND WHEREAS on [●], 2024, the Minister of Education approved the estimates of the Conseil des écoles publiques de l'Est de l'Ontario (hereinafter the "Board") which are prescribed under Section 10, paragraph 1 of Ontario Regulation 20/98;

AND WHEREAS the Board has determined that residential development in its area of jurisdiction will result in increased education land costs;

AND WHEREAS the estimated average number of school pupils of the Board over the five (5) years immediately following the day this By-Law comes into force will exceed the total capacity of the Board to accommodate the school pupils throughout its jurisdiction on the day this By-Law is passed;

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

AND WHEREAS the Board has conducted a review of its education development charge policies, made sufficient information available to the public, and held a public meeting on May 28, 2024, in accordance with Section 257.60 of the *Education Act*;

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 and held public meetings on May 28, 2024, in accordance with Section 257.63(1) of the *Education Act* and permitted any person who attended the public meetings to make representations in respect of the proposed education development charges;

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

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

PART I APPLICATION

Definitions

1. The definitions and terms contained in this By-Law shall have the same meanings as those contained in the Act and the Regulation (as hereinafter defined), as amended from time to time. In the event of ambiguity, the definitions contained in this By-Law shall prevail.
2. In this By-Law,
 - a. “Act” means the Education Act, R.S.O. 1990, c.E.2, as amended, or a successor statute;
 - b. “alternative project” means a project, lease or other prescribed measure, approved by the Minister of Education under Section 257.53.1 of the Act, that would address the needs of the Board for pupil accommodation and would reduce the education land costs;
 - c. “Board” means the Conseil des écoles publiques de l’Est de l’Ontario;
 - d. “development” means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the gross floor area, number of dwelling units or usability thereof, and 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 row dwelling (townhouse), back-to-back townhouses, rear lane townhouses, row dwelling (townhouse), the residential portion of a mixed-use building or structure, secondary dwelling unit, and a cottage or seasonal dwelling unit that is capable of being occupied year-round. Notwithstanding the foregoing, (i) a unit or room in a temporary accommodation to the travelling or vacationing public and (ii) living accommodation in a long-term care home as defined in and governed by the provisions of the *Fixing Long-Term Care Act, 2021*, S.O. 2021, c.39, Sched. 1, shall not constitute dwelling units for purposes of this By-Law;
 - f. “education development charge” means charges imposed pursuant to this By-Law in accordance with the Act;
 - g. “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);

- v. to undertake studies in connection with an acquisition referred to in paragraph (i); and
 - vi. in connection with alternative projects approved by the Minister of Education pursuant to s. 257.53.1 of the Act;
- h. “farm buildings” are defined as a building or structure located on a bona fide farm which is necessary and ancillary to a bona fide farm operation including barns, tool sheds and silos and other farm related structures for such purposes as sheltering of livestock or poultry, storage of farm produce and feed, and storage of farm related machinery, and equipment but shall not include a dwelling unit or other structure used for residential accommodation or any buildings or parts thereof used for other commercial, industrial or institutional purposes qualifying as non-residential development;
 - i. “gross floor area” means the total floor area, measured between the outside of exterior walls or between the outside of exterior walls and the centre line of party walls dividing the building from another building, of all floors above the average level of finished ground adjoining the building at its exterior walls and for the purpose of this definition, the non-residential portion of a mixed-use building or structure is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure;
 - j. “local board” means a local board as defined in the Municipal Affairs Act, other than a district school board;
 - k. “localized education development agreement” means an agreement between a board and an owner described in subsection 257.53.2(1) of the Act;
 - l. “mixed use development” means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential uses;
 - m. “non-residential development” means a development other than a residential development and includes commercial, industrial and institutional development;
 - n. “Planning Act” means the Planning Act, R.S.O. 1990, c. P.13, as amended;
 - o. “Region” means the upper-tier municipality of the United Counties of Prescott and Russell;
 - p. “Regulation” means Ontario Regulation 20/98, *Education Development Charges – General* as amended, made under the Act;
 - q. “residential development” means a development comprised of land or buildings or structures of any kind whatsoever, used, designed or intended to be used as living accommodations for one or more individuals and includes land or a building or part thereof used, designed or intended for a use in connection therewith;
 - r. “secondary dwelling unit” means a dwelling unit contained within a single detached dwelling, semi-detached dwelling, or row dwelling which:
 - i. comprises an area less than the gross floor area of the primary dwelling unit; and
 - ii. is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.

Application of By-Law and Exemptions

3. (1) Subject to any exemption contained herein, this By-Law applies to all lands in the Region. For greater certainty, this By-Law applies to all lands in the United Counties of Prescott and Russell, including the township of Clarence-Rockland, Alfred-Plantagenet, Casselman, Champlain, Hawkesbury, Hawkesbury-East, The Nation and the township of Russell (which includes 4 communities: Embrun, Russell, Limoges and Marionville). This By-Law applies to all categories of residential development and all related uses of land, buildings or structures thereof.
- (2) This By-Law shall not apply to lands subject to a localized education development agreement approved by the Minister of Education pursuant to Section 257.53.2 of the Act.
- (3) This By-Law shall not apply to lands that are owned by and are used for the purpose of:
 - a. the Region or a local board thereof;
 - b. a municipality or a local board thereof;
 - c. a district school board;
 - d. residential development on lands designated as a farm retirement lots being a lot adjacent to a farming lot on which a dwelling unit is to be built for the residence of a person who had conducted farming on the adjacent farming lot;
 - e. a place of worship and land used in connection therewith, and every churchyard, cemetery or burying ground, if such is exempt from taxation under Section 3 of the *Assessment Act*, R.S.O. 1990, c. A.31 as amended;
 - f. farm buildings as defined herein.
- (4) Subject to subsection (5), 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 *Fixing Long-Term Care Act, 2021*;
 - 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 home, clubhouse or athletic grounds owned by the Royal Canadian Legion.
- (5) If only a portion of a building or structure, or an addition or alteration to a building or structure, referred to in subsection (4) will be used for a purpose identified in that subsection, only that portion of the building, structure, addition or alteration is exempt from an education development charge.

- (6) 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*;
 - 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*.

Development Approvals

4. In accordance with the Act and this By-Law, education development charges shall be imposed against all lands, buildings or structures undergoing residential development within the By-Law charging area, if the development requires any one of those actions set out in subsection 257.54 (2) of the Act (or any successor provision thereto) as follows:
- a. the passing of a zoning By-Law or of an amendment thereto under Section 34 of the *Planning Act* (or any successor provision thereto);
 - b. the approval of a minor variance under Section 45 of the *Planning Act* (or any successor provision thereto);
 - c. a conveyance of land to which a By-Law passed under subsection 50(7) of the *Planning Act* (or any successor provision thereto) applies;
 - d. the approval of a plan of subdivision under Section 51 of the *Planning Act* (or any successor provision thereto);
 - e. a consent under Section 53 of the *Planning Act* (or any successor provision thereto);
 - f. the approval of a description under Section 9 of the *Condominium Act, 1998*, S.O. 1998, c. 19 (or any successor provision thereto); or
 - g. the issuing of a permit under the *Building Code Act, 1992*, S.O. 1992, c. 23 (or any successor provision thereto) in relation to a building or structure .

PART II EDUCATION DEVELOPMENT CHARGES

A. Residential Education Development Charges

5. Subject to the provisions of this By-Law, an education development charge per dwelling unit shall be imposed upon all categories of residential development and all the designated residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use, and, in the case of a mixed-use building or structure, upon the dwelling units in the mixed-use building or structure. An education development charge will be collected once in respect of a particular residential development, but the foregoing does not prevent the application of this By-law to future development of the same property. The schedule of residential rates is as follows:

Conseil des écoles publiques de l'Est de l'Ontario	2024 EDC Calculated Rates	In-force By-Law Rates to June 30, 2024	Year 1 Rates July 1, 2024 to June 30, 2025	Year 2 Rates July 1, 2025 to June 30, 2026	Year 3 Rates July 1, 2026 to June 30, 2027	Year 4 Rates July 1, 2027 to June 30, 2028	Year 5 Rates July 1, 2028 to June 30, 2029
Residential EDC Rate per Dwelling Unit	\$898	\$941	\$898	\$898	\$898	\$898	\$898

Exemptions from Residential Education Development Charges

6. As required by Subsection 257.54(3) of the Act, an education development charge shall not be imposed with respect to
 - a. the enlargement of an existing dwelling unit that does not create an additional dwelling unit; or
 - b. the creation of one or two additional dwelling units as prescribed in Section 3 of the Regulation as follows:

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

7. Pursuant to Section 4 of the Regulation:

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

B. Non-Residential Development

8. Subject to the provisions of this By-Law, education development charges shall not be imposed upon any classes of non-residential developments and any non-residential uses of non-residential lands, buildings, and structures.
9. Notwithstanding Section 8 of this By-Law, an education development charge shall be imposed in accordance with Section 5 of this By-Law where a non-residential building or structure is demolished or destroyed, including without limitation destroyed by fire, and is replaced by or converted to, in whole or in part, a dwelling unit or units.

C. Mixed Use Development

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

**PART III
ADMINISTRATION**

Payment of Education Development Charges

11. Education development charges are payable in full to the municipality in which the development takes place on the date a building permit is issued in relation to a building or structure on land to which this education development charges By-Law applies.

12. The Treasurer of the Board shall establish and maintain an education development charge reserve fund in accordance with the Act, the Regulation and this By-Law.

Payment by Services

13. Notwithstanding the payments required under Section 15, and 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 the education development charges.

Collection of Unpaid Education Development Charges

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

Date By-Law In Force

15. This By-Law shall come into force at 12:01 a.m. on July 1, 2024.

Severability

16. 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

17. Nothing in this By-Law shall be construed so as to commit or require the Board to authorize or proceed with any specific school site purchase or capital project at any time.
18. In this By-Law where reference is made to a statute or a Section of a statute such reference is deemed to be a reference to any successor statute or Section. The same is true for any reference made to a regulation or a Section of a regulation in this By-Law.
19. The French language version of this By-Law is the official version hereof.

Short Title

20. This By-Law may be cited as the Conseil des écoles publiques de l'Est de l'Ontario Education Development Charges By-Law No. 01-2024-RAS-P&R.

ENACTED AND PASSED THIS 18th DAY OF JUNE 2024.

Samia Ouled Ali
President

Christian-Charle Bouchard
Director of Education and Secretary-Treasurer

APPENDIX C - BACKGROUND DOCUMENT PERTAINING TO A REVIEW OF THE EDUCATION DEVELOPMENT CHARGES POLICIES OF THE Conseil des écoles publiques de l'Est de l'Ontario

The policy review document outlined herein is intended to provide the reader with an overview of the education development charge policies underlying the existing 2019 EDC by-law of the Conseil des écoles publiques de l'Est de l'Ontario 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.”

The legislative provisions require the Board 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.

C.1 Existing EDC By-law in the United Counties of Prescott and Russell

On June 25, 2019, the Conseil des écoles publiques de l'Est de l'Ontario (CEPEO) adopted a successor EDC by-law governing development and redevelopment within the United Counties of Prescott and Russell, and over a 5-year term. The successor by-law rates were imposed beginning July 1, 2019. The Board's existing by-law will expire no later than June 30, 2024.

C.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 Conseil des écoles publiques de l'Est de l'Ontario proposed EDC by-law. The Board of Trustees, after consideration of public input, will make decisions on each of these policy issues prior to passage of a successor by-law anticipated to occur on June 18, 2024.

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, subject to the legislative rate cap?
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?
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. Has the Board given consideration to the potential for Alternative Projects?

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

Changes to the legislation 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. While the legislative cap takes precedence over the policy decision respecting residential and non-residential shares of net education land costs, the ability to shift the percentage shares between the two development categories is dependent upon the difference between the calculated and the cap rates being more than 5% per annum over the term of the by-law, without additional revenue loss.

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 any 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 additional impediments to full cost recovery, several beyond the 'legislative cap':

- 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, primarily as a result of higher than projected costs and the 'legislative cap';
- non-statutory exemptions granted by a school board, restrict full cost recovery;
- additional statutory exemptions have been added to the EDC legislation since 2019. Additional exemptions for secondary dwellings that are constructed on the same property but not within the original dwelling unit, may generate additional students. The CEPEO will need to decide whether or not to apply EDCs to this type of development;
- 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, where these lands fall outside of the maximum site size benchmark;

- 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 loaded at 23 students per classroom, 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, where possible, 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). EDC boards will have to consider whether they wish to continue the practice of exempting these non-statutory exemptions.

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. At the time the 2019 EDC by-law was adopted by CEPEO legal advisors preeminent in the EDC legislation, were 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.

Further, a school board cannot make post by-law adoption discretionary exemptions without amending the EDC by-law first.

The Conseil des écoles publiques de l'Est de l'Ontario's 2019 EDC by-law recovers net education land costs from residential development (100%) and non-residential development (0%) within the United Counties of Prescott and Russell. The existing EDC by-law is designed to recover as much of the net education land cost needs as the legislation will allow.

Public Input Received with Respect to this Policy:

None to date

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

Existing EDC By-law Provisions:

The existing “in force” EDC by-law is applied on a Counties-wide uniform basis and has been since the original EDC by-law was adopted. The rationale for this decision is primarily based on the premise that:

1. A jurisdiction-wide approach is more consistent with the way in which education services are provided by the Board;

2. A jurisdiction-wide charge affords more flexibility to the Board to meet its long-term accommodation needs;
3. Uniform application of education development charges is more congruent with the education funding model as a whole;
1. 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 of O. Reg 20/98). Therefore, monies collected in one by-law area could not be spent outside of that by-law area and this is particularly problematic given school choice at the secondary level.

Public Input Received with Respect to this Policy:

None to date

Legislative Provisions:

Section 257.54 subsection (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.

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 board staff 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:

- The use of a uniform jurisdiction-wide EDC structure 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), with a single tax rate for residential development (throughout the province) and uniform Region-wide tax rates for non-residential development (by type), and is consistent with the approach taken by the Board to make decisions with respect to capital expenditures;
- Uniform by-law structures are more consistent with the development of a board's capital program (i.e., school facilities where and when needed) 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. Further the average costing approach to determining net education land costs ensures that all development, regardless of location within the jurisdiction, pays the same rate.

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 area-specific by-laws 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) and stormwater management, is well established, and is currently used in existing DC by-laws by many 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 a greater ability to mitigate the impact on new house prices and support affordable housing policies;
- While today there are few area-specific (i.e., regional) 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.

C.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)).

In addition, Part III, s.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 a period chosen by the board of up to 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.

Finally, O. Reg. 20/98 enables a board to vary the EDC rates to consider differences in size (e.g. number of bedrooms, square footage) of dwelling units or occupancy (permanent or seasonal, non-family households or family households) although the latter (i.e. occupancy) could change over time.

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

- i) the charges shall be expressed as a rate per new dwelling unit,
- ii) the rate shall be the same throughout the area in which charges are to be imposed under the by-law, ...”

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. Further, differentiated residential rates are complicated by the upset limit inherent in the ‘capped’ legislative 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. Finally, there is no ability to make up the funding shortfall as a result of exempting particular types of dwelling units.

While the Province has recently expanded the exemptions from municipal development charges for all secondary dwelling units, exempting the ancillary secondary 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 typically designed to consider the lower pupil generation of these units, which is applied to the number of units in the dwelling unit forecast expected to be non-child households. 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 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. 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.
2. The EDC pupil yield analysis assesses changing headship rates and uses this information to modify the future expectations of the number of school age children per household.

C.2.4 Non-Statutory Non-residential Exemptions

Legislative Provisions:

Non-residential statutory exemptions include:

- i. land owned by, and used for the purposes of, a board or a municipality
- j. 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*
 - 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
- k. a university that receives regular and ongoing operating funds from the Government of Ontario for the purposes of post-secondary education
- l. the owner of an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*
- m. expansions to industrial buildings (gross floor area)
- n. 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 to not have a non-residential charge, then non-statutory, non-residential exemptions is not an issue. The CEPEO has never adopted a non-residential charge within the Counties of Prescott and Russell.

However, there is no funding source currently available under the new 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

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.

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 Conseil des écoles publiques de l'Est de l'Ontario's existing "in-force" EDC by-law applies to residential development only. The Board has the ability to revisit this policy decision as part of the June 2024 by-law adoption process.

C.2.5 Demolition and Conversion Credits through Redevelopment

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 grace period for the replacement of non-residential GFA is five years.

There are no legislative provisions specifically dealing with conversion of use. However, the EDC Guidelines, section 4.1, states that, "Board by-laws may include provisions for credits for land use conversion. 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 current EDC by-law provides a credit equal to the amount of the charge originally paid on the space that is being converted.

C.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, it is important to note, the legislative ‘cap’ rate increase is applied to existing by-law rates, which are premised on an earlier decision of the board respecting residential and non-residential shares.

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 organizations 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 are likely to seek full eligible cost recovery (100%) under EDCs. However, a non-residential EDC is not a mandatory requirement of the structure in the *Education Act* and therefore boards may elect to recover 100% of costs from residential development or up to 40% from non-residential development (with the remainder to be recovered 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 (or building permit declared value) 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);

- 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 leads 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 contain 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.

C.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.

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

C.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 Land Tribunal 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.”

The CEPEO by-law adopted in 2019 was not appealed.

C.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.”

C.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 Conseil des écoles publiques de l'Est de l'Ontario EDC by-law.