



Chapter 1

Introduction



1. Introduction

1.1 Background

Education development charges (EDCs) are a revenue source for school boards to purchase and develop land for new schools. EDCs are meant as a funding mechanism for boards that are experiencing a growth-related accommodation need in their jurisdiction. In order to qualify for EDCs, it is necessary for school boards to meet certain “triggers.”

School boards no longer have the ability to implement property taxes to fund education costs and now rely on a system of per pupil grants established by the Ministry of Education. The grants are set out to cover expenses such as teacher salaries, textbooks, heating of schools, renewing schools, building schools, etc. EDCs are meant to fund the acquisition and development of growth-related school sites outside this grant envelope. EDCs are based on a formulaic approach that looks at three main areas – enrolment projections to determine need, the number of school sites necessary to meet need, and the costs related to the purchase and development of those school sites.

The EDC may be levied by a school board on both residential and non-residential developments, subject to certain exemptions which are outlined in the legislation. Division E of Part IX of the *Education Act* is the legislation responsible for governing the EDC. Ontario Regulation (O. Reg.) 20/98, as amended, provides guidelines and requirements on the qualification process for a school board as well as the specifics on calculating the charge. The charges are collected at building permit issuance on behalf of the school board by the local area municipality to which the by-law applies.

As mentioned earlier, not all school boards are eligible to implement EDCs due to qualification triggers that must be met. One trigger is that the board’s total projected enrolment for the five-year period following expected by-law passage must exceed the board’s Ministry-rated on-the-ground (OTG) capacity on *either* the elementary or secondary panel.

The other qualification trigger deals with unmet financial obligations with regard to the purchase and development of growth-related school sites. If the school board has an existing EDC by-law in place and they can demonstrate that there are existing



outstanding financial obligations, the school board will automatically qualify for a subsequent by-law. The *Education Act*, specifically section 257.54, gives school boards the ability to pass EDC by-laws.

“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.”

School boards are responsible for providing school sites and can do so through such limited revenue sources as selling surplus school sites, revenue from leasing sites, entering into joint use agreements with other school boards or public/private partnerships, and the imposition of EDCs – thus making EDCs an important revenue source.

1.2 EDC Policy Review

All school boards with an existing EDC by-law in place must conduct a review of the policies contained in their existing by-laws before passing a new by-law. This process includes a policy review report as well as a public meeting to review the policies in a public forum.

Section 257.60 subsection (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.”

Subsection (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.”



1.3 Area in Which the By-law May Apply

The legislation states that an EDC by-law may apply to the entire area of the jurisdiction of a board or only part of it. In addition, an EDC by-law of the board shall not apply with respect to land in more than one “region” if the regulations divide the area of the jurisdiction of the board into prescribed regions. Both the KPRDSB’s and the PVNCCDSB’s jurisdictions have been divided by the County/City of Peterborough within the legislation for the purpose of calculating the EDC and as such there are two separate calculations, one for each Board contained within the County/City of Peterborough, presented in this report.

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

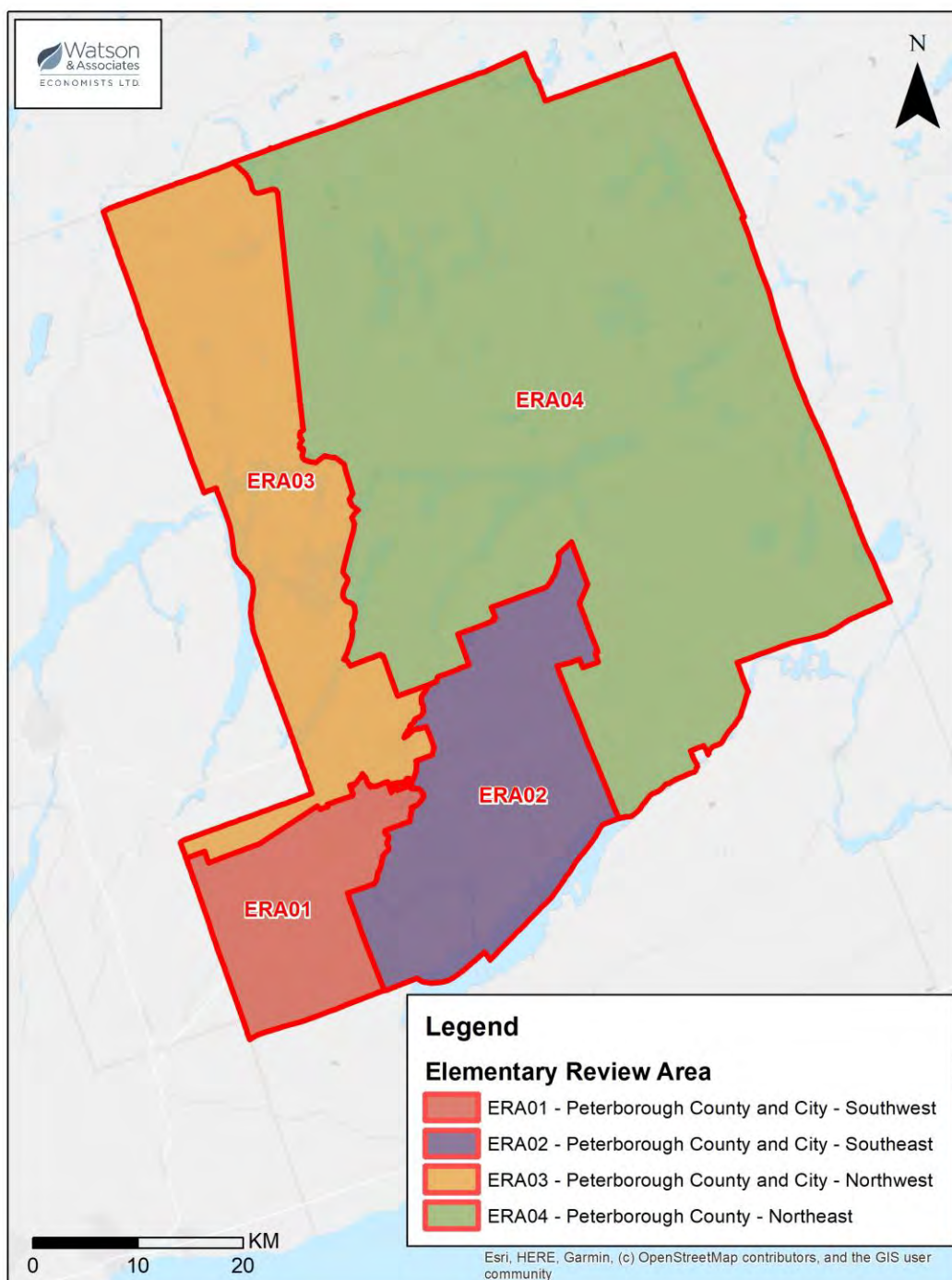
EDC background studies should clearly outline the areas that will be covered by EDC by-laws. Four maps have been included on the following pages outlining the County/City of Peterborough (PVNCCDSB and KPRDSB), the area to which the EDC by-laws will apply, and the respective review areas for each Board and panel.

1.4 EDC Review Areas

The EDC methodology allows school boards to examine growth-related needs on a jurisdiction-wide basis – that is, to treat the whole EDC area as one review area – or to examine them on a sub-area basis or review areas. Review areas are artificial constructs that to divide a board’s jurisdiction into sub-areas in order to determine the location of new school sites more accurately. Board review areas are likely to reflect attendance boundaries for families of schools, natural dividers such as rivers and creeks, or man-made barriers such as major thoroughfares. The Ministry of Education’s EDC Guidelines recommend that review areas are consistent with board review areas used for capital planning purposes and that they try to maintain consistency with review areas of subsequent EDC by-laws.

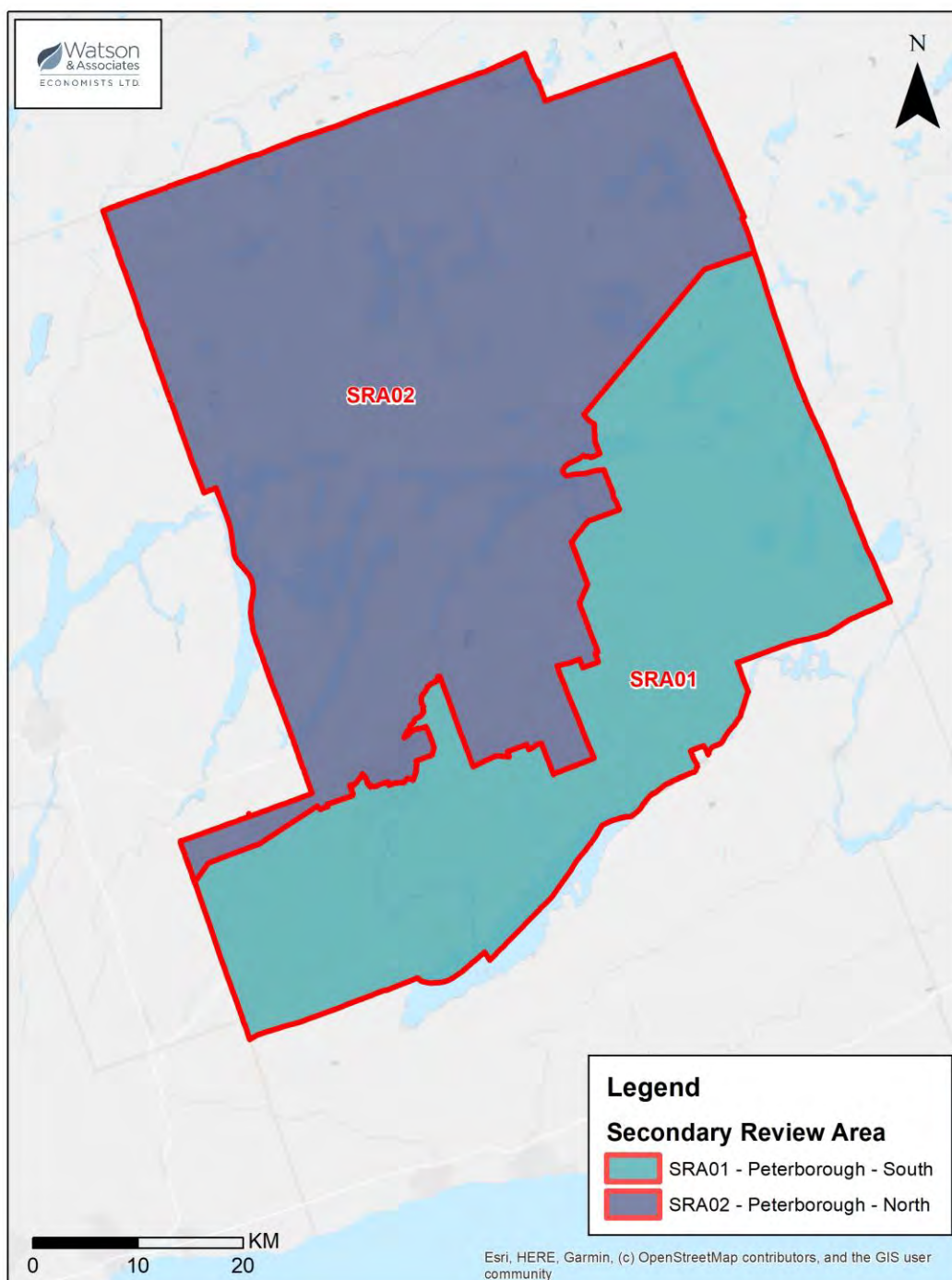


Map 1: PVNCCDSB Elementary EDC Review Areas 2020 – County of Peterborough and City of Peterborough



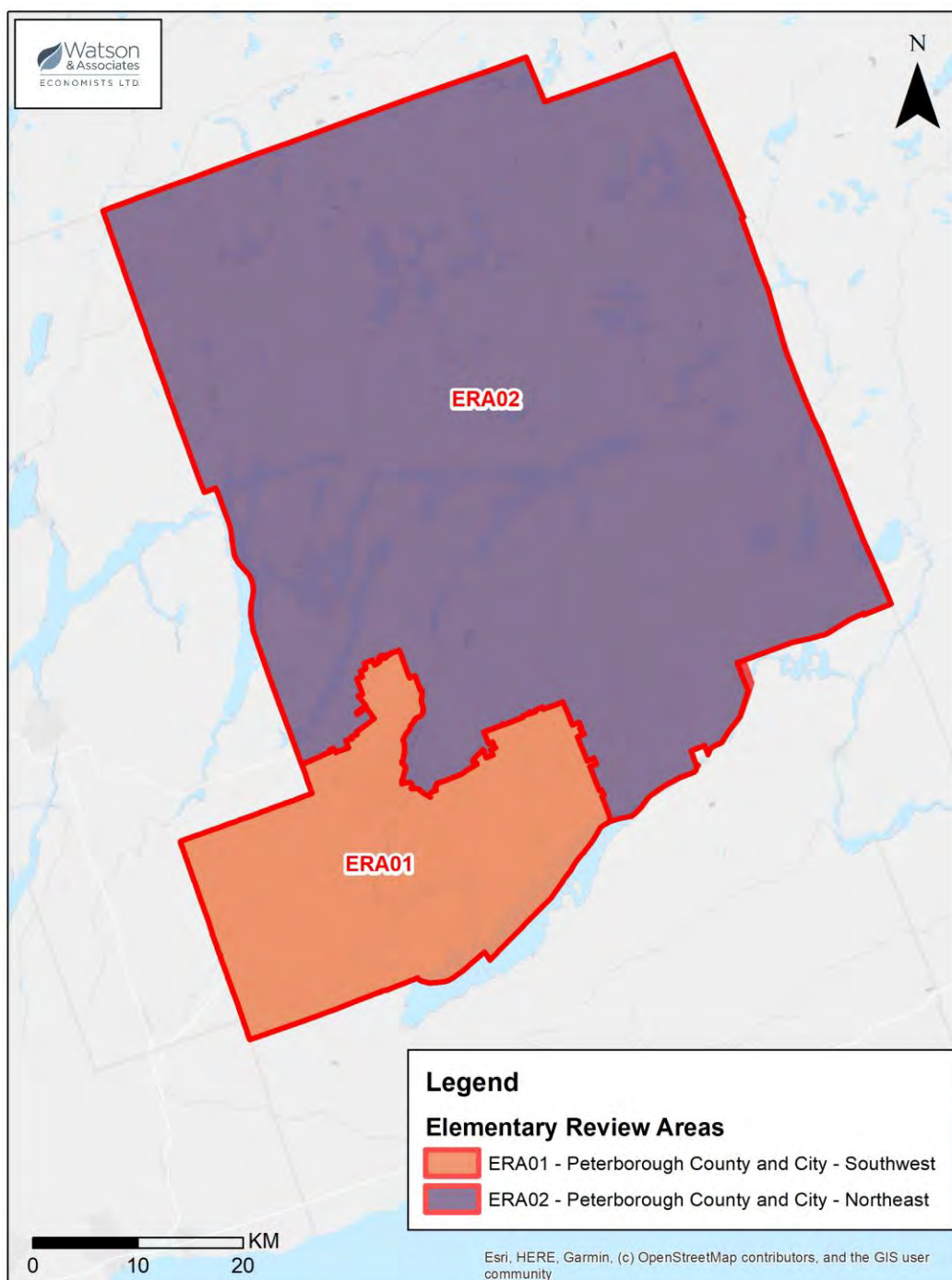


Map 2: PVNCCDSB Secondary EDC Review Areas 2020 – County of Peterborough and City of Peterborough



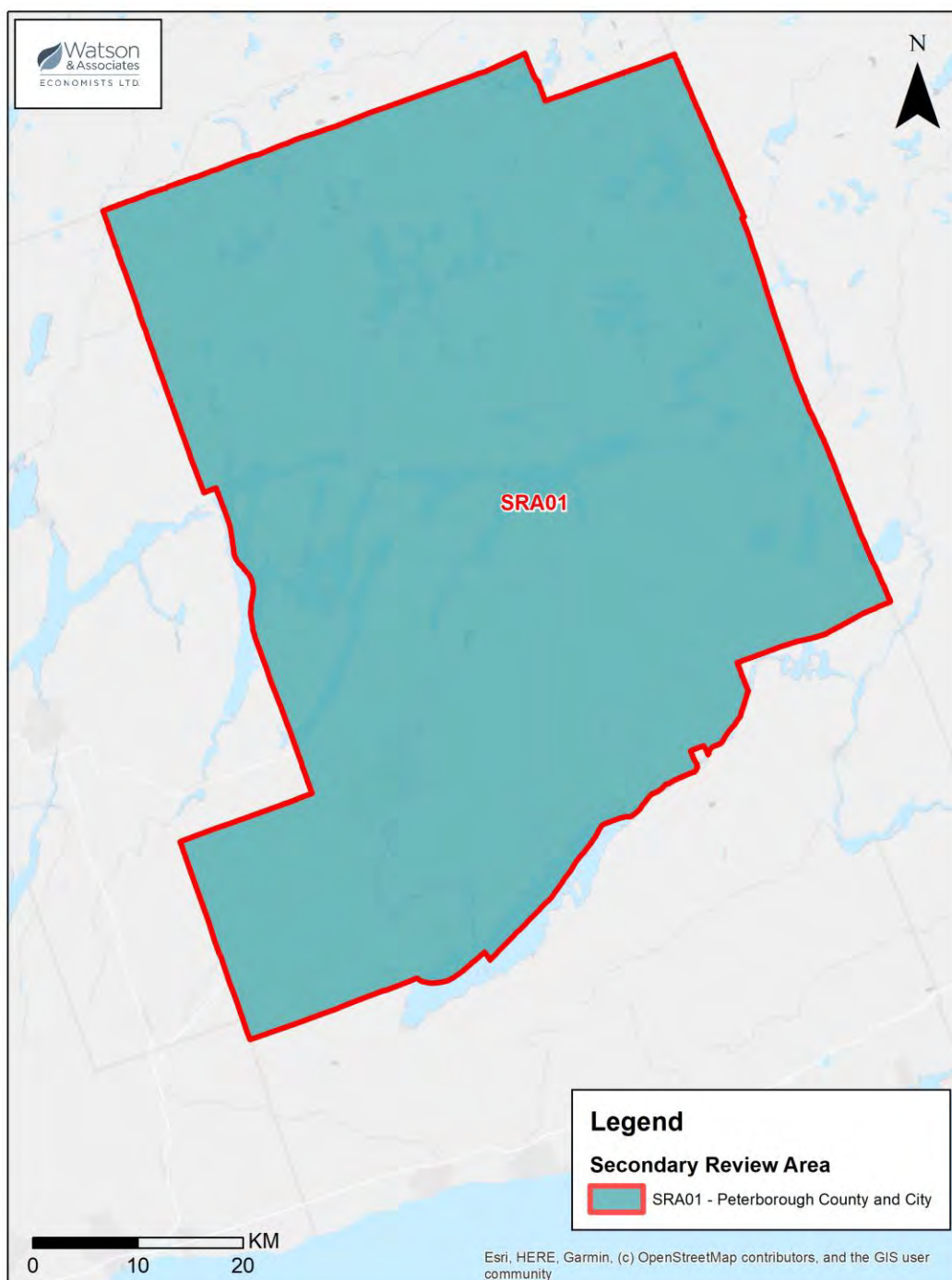


Map 3: KPRDSB Elementary EDC Review Areas 2020 – County of Peterborough and City of Peterborough





Map 4: KPRDSB Secondary EDC Review Areas 2020 – County of Peterborough and City of Peterborough





For the purposes of calculating EDCs, the PVNCCDSB has used **4** elementary review areas and **2** secondary review areas for the County/City of Peterborough by-law, while the KPRDSB has used **2** elementary review areas and **1** secondary review area.

PVNCCDSB Review Areas – County of Peterborough and City of Peterborough

Elementary Review Areas:

ERA01 – Peterborough County and City – Southwest
ERA02 – Peterborough County and City – Southeast
ERA03 – Peterborough County and City – Northwest
ERA04 – Peterborough County – Northeast

Secondary Review Areas:

SRA01 – Peterborough County and City – South
SRA02 – Peterborough County and City – North

KPRDSB Review Areas – County of Peterborough and City of Peterborough

Elementary Review Areas:

ERA01 – Peterborough County and City – Southwest
ERA01 – Peterborough County and City – Northeast

Secondary Review Areas:

SRA01 – Peterborough County and City

The EDC, when calculated on a review area basis, assumes that the combined OTG capacity of the existing facilities located within the review area serves as the total available capacity. Determining board needs on a review area basis is premised on the following:

- Available space is determined by subtracting the year 15 existing community enrolment number from the current OTG capacity figure;
- Pupils that are generated from new development must fill any available surplus OTG capacity first; and



- Pupils generated from new development above and beyond those that fill any available surplus space within the review area are net growth-related pupil place requirements and can potentially be funded through EDCs.

The review area approach to calculating EDCs has been undertaken by both boards and is largely consistent with the way in which future capital needs will be assessed over the long term.



Chapter 2

The EDC By-law



2. The EDC By-law

2.1 Imposition of an EDC

The passage of an EDC by-law gives school boards the authority to impose and collect EDCs for the purpose of acquiring and developing growth-related school sites. Each by-law has a maximum term of five years and must be passed within one year of EDC background study completion. Before a school board can proceed with an EDC by-law, it must receive confirmation in writing from the Ministry of Education acknowledging receipt of the background study and approving estimates of enrolment projections and future site needs contained in the background study.

Section 10 of O. Reg. 20/98 sets out the conditions that must be satisfied in order for a board to pass an EDC by-law:

- The Minister has approved the board's estimates of the total number of elementary and secondary pupils over each of the 15 years of the forecast period;
- 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;
- The board has demonstrated that the average elementary or secondary enrolment within its jurisdiction exceeds the board's elementary or secondary capacity; or the board's current EDC financial obligations exceed revenues reported in the EDC reserve fund;
- The board has prepared a background study and given a copy of the EDC background study relating to the by-law to the Minister and each board having jurisdiction within the area to which the by-law would apply;
- The area to which the board proposes the EDC by-law is enforced and charges are imposed is the same area that was subject to the EDC charge by-law in force on August 31, 2018; and
- The board provides any information regarding the calculation of the EDC if requested by the Minister upon the review of the background study.



2.2 The Background Study

An EDC background study must be completed by a school board that wishes to pass an EDC by-law. The intention of the background study is to provide information on the process and methodology of calculating an EDC, as well as the background and assumptions that make up the estimates of the enrolment projections and site needs.

Section 257.61 (1) of the Act requires that “before passing an education development charge by-law, the board shall complete an education development charge background study.”

Section 257.61 (2) of the Act and O. Reg. 20/98 sections 9 (1) and (2) set out the following information that must be included in an EDC background study:

Section 9 (1):

- Estimates of the anticipated amount, type and location of new dwelling units for each year of the 15-year forecast period in the area in which the charge is to be imposed;
- The number of projected new pupil places as a result of new growth and the number of new school sites needed to provide accommodation for those students;
- The number of existing pupil places by school and the number of available spaces to accommodate the projected number of new pupil places;
- For every existing elementary and secondary pupil place in the board’s jurisdiction that the board does not intend to use to accommodate pupils from new growth, an explanation as to why the board does not intend to do so.

Section 9 (2):

- For each elementary and secondary school site, estimates of the net education land cost, the location of the site, the area of the site (including the area that exceeds the maximum set out in section 2 of O. Reg. 20/98, and an explanation of whether the costs of the excess land are education land costs and if so, why);
- 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 new pupil places;



The EDC Guidelines suggest that school boards are required to provide the Ministry with a copy of the final background study at least 40 days prior to the anticipated by-law passage date. In addition, the background study must be made available to the public at least two weeks prior to the legislated public meeting.

2.3 Public Meetings

Before a school board can pass an EDC by-law, the legislation requires that the board hold at least one public meeting. The purpose of the meeting is to advise any interested stakeholders and the public at large of the board's intentions and address the new proposed EDC by-law. The public meeting also gives the community and stakeholders the opportunity to voice any issues or concerns they have with regard to the proposed by-law.

The board is required to provide at least 20 days' notice of the meeting and must make the background study as well as the new proposed by-law available to the public at least two weeks in advance of said meeting. O. Reg. 20/98 states that notice of a public meeting can be given in two ways:

- To every owner of land in the area to which the proposed by-law would apply by personal service, fax or mail.
- By publication in a newspaper that is, in the secretary of the board's opinion, of sufficiently general circulation in the area to which the proposed by-law would apply to give the public reasonable notice of the meeting.

If a school board already has an existing in-force EDC by-law in place, the board must hold an additional meeting to review the existing policies of the current EDC by-law. This part of the process is necessary in order to fulfil the necessary requirements of the policy review process. It should be noted that this policy review meeting can be addressed by the board during its EDC public meeting.

The Boards intend to hold public meetings to inform the public of the new proposed EDC by-laws. The Boards will hold a joint meeting on November 29, 2021.



EDUCATION DEVELOPMENT CHARGES

City and County of Peterborough

NOTICE OF PUBLIC MEETINGS

FIRST PUBLIC MEETING

EDC POLICY REVIEW

Monday, November 29, 2021 @ 7:00 p.m.

IMMEDIATELY FOLLOWED BY:

SECOND PUBLIC MEETING

CONSIDERATION OF PROPOSED BY-LAWS

Monday, November 29, 2021 @ 7:15 p.m.

THIRD PUBLIC MEETING

CONSIDERATION OF BY-LAW ADOPTION

Tuesday, February 22, 2022 @ 6:30 p.m.

**(Peterborough Victoria Northumberland Clarington
Catholic District School Board)**

Tuesday, February 22, 2022 @ 7:30 p.m.

(Kawartha Pine Ridge District School Board)

The purpose of the first joint public meeting on November 29, 2021 will be to review the current education development charge policies of both Boards and to solicit public input.

The purpose of the second joint public meeting on November 29, 2021 is to consider the imposition of education development charges in the City of Peterborough and County of Peterborough, the proposed by-laws, and to inform the public generally about the education development charge proposal of each Board.

The purpose of the third public meeting for each Board is to consider the enactment of an EDC by-law in the City of Peterborough and County of Peterborough.



Should by-laws be passed, collection of education development charges pursuant to such by-laws may commence on March 1, 2022.

All interested parties are invited to attend the meetings. Any person who attends any of the meetings may make a representation to the Boards related to the proposed by-laws. The Boards will also consider any written submissions.

A Policy Review Document setting out the Boards' education development charge policies, as well as the EDC Background Study required under section 257.61 of the Education Act (and the proposed EDC by-laws) setting out each Board's EDC proposal, will be available on the Boards' websites on or before November 12, 2021.

All of these meetings will be held through electronic means. The Boards will post on their websites instructions on how to participate in the meetings at a time closer to the dates of the meetings. If in-person attendance becomes an option, more information about this will be posted on the Boards' websites. If you wish to be sent instructions on how to participate in any of the meetings, please communicate with the Board administrators at the telephone numbers and e-mail addresses provided below.

The Boards would appreciate receiving written submissions one week prior to the public meetings. Submissions and requests to address the Boards as a delegation, as well as any comments or requests for further information regarding this matter, should be submitted to:

Jeannette Thompson
Manager, Planning Services
Kawartha Pine Ridge District School Board
1994 Fisher Dr, PO Box 7190
Peterborough, Ontario, K9J 7A1
Telephone: 705-742-9773 (ext. 2169)
E-mail: jeannette_thompson@kprdsb.ca
Website: <http://www.kprschools.ca>

Diane Lloyd, Chairperson of the Board
Rita Russo, Director of Education and
Secretary of the Board

Kawartha Pine Ridge District School Board

Isabel Grace
Superintendent of Business and Finance/ Plant
**Peterborough Victoria Northumberland and
Clarington Catholic District School Board**
1355 Lansdowne St W
Peterborough, Ontario, K9J 7M3
Telephone: 705-748-4861 (ext.1246)
E-mail: igrace@pvnccdsb.on.ca
Website: <https://www.pvnccdsb.on.ca>

David Bernier, Chairperson of the Board
Joan Carragher, Director of
Education/Secretary Treasurer

**Peterborough Victoria Northumberland and
Clarington Catholic District School Board**



Stakeholder Participation

In addition to the legislated public meetings, the Ministry encourages school boards to include relevant stakeholders in the EDC process and discussions. Local developers or development associations, as well as municipalities, should be contacted in advance of the public meetings to ensure they are aware of the proposed EDC and bring to light any potential issues, etc. It is essential that stakeholders are part of the process and that the discussions remain transparent at all times to help ensure a smooth passage of the EDC by-law.

The PVNCCDSB and the KPRDSB have worked together closely on the preparation of the EDC background study and by-laws to ensure consistency in the included data and assumptions used in the calculation of the charges. Growth forecasts used for the EDC analysis are consistent with the most recent and available municipal forecasts.

The Boards have notified area stakeholders of their intent to begin the EDC renewal process. The Boards will continue to reach out to stakeholders, provide information as it becomes available and hold information sessions with stakeholders as deemed necessary.

Exemptions

The EDC by-law is subject to certain statutory exemptions for both residential and non-residential collection. The exemptions for residential development deal with residential intensification and replacement of units. If a new unit is added to an existing dwelling unit, for example, a single detached unit is converted to a duplex, the additional unit is exempt from EDCs. Section 3 of O. Reg. 20/98 sets out the classes of residential buildings and the maximum number of dwelling units that can be added under the exemption.

The legislation also allows for exemptions dealing with the replacement of residential units when the unit has been destroyed by fire, demolition or otherwise, or has been rendered uninhabitable, subject to certain conditions prescribed under section 4 of O. Reg. 20/98.

Non-residential statutory exemptions deal similarly with additions/enlargements of space and replacement of existing non-residential space that has been destroyed. A non-residential development that includes the enlargement of existing industrial space,



up to 50% of the gross floor area (GFA) of the existing development, is exempt from EDCs as per section 257.55 of Division E of the *Education Act*. Replacement of non-residential building space is exempt from EDCs if the existing space was destroyed by fire, demolition or otherwise, or has been rendered uninhabitable, subject to certain conditions in section 5 of O. Reg. 20/98.

In addition to the exemptions mentioned, the legislation allows for a limited non-residential exemption for certain institutional developments. Section 257.54 (5) of the *Education Act* stipulates that, “No land, except land owned by and used for the purposes of a board or municipality, is exempt from an EDC under a by-law passed under subsection (1) by reason only that it is exempt from taxation under section 3 of the *Assessment Act*.”

School boards may also decide to impose their own non-statutory exemptions to certain developments, both residentially and non-residentially. These types of exemptions may be for developments like seniors’ housing, social housing or recreational developments. Non-statutory exemptions are entirely at the discretion of the board and any EDC revenues lost as a result cannot be recovered.

Expiration

A school board can specify any date as the expiration date of the EDC by-law as long as the term of the by-law does not exceed five years. The exception to this rule is that the EDC by-law of one school board automatically expires on the same date as an existing by-law of a coterminous school board if they are in force in any part of the same area. Section 17 of O. Reg. 20/98 prescribes the conditions dealing with this special rule of expiry of by-laws.

Collection

The EDC is collected by local municipalities on behalf of the school boards at the time a building permit is issued. The funds are deposited into an EDC reserve fund. The municipality, under the legislation, cannot issue a building permit if the EDC has not been paid. In addition to collecting the charge and transferring the monies to the school boards, municipalities are also required to provide the boards with detailed reports respecting all EDC transactions (section 20 of O. Reg. 20/98). At a minimum, each report should cover the total EDCs that have been collected, the number of building



permits issued (or GFA for non-residential), any exemptions granted and any permits that were issued without an EDC being paid.

The municipalities do not receive any remuneration for collecting EDCs on behalf of the school boards; however, municipalities are allowed to retain any interest earned on the monthly EDC balances.

2.4 Appeals and Amendments

Appeals

The EDC by-law can be appealed by any individual or organization in accordance with the provisions in the *Education Act*. Sections 257.64 to 257.69 of the Act outline the legislation dealing with the appeal of the EDC by-law. The by-law is subject to appeal for a maximum of 40 days after the by-law has been passed. The school boards must provide a written notice that an EDC by-law has been passed (within 20 days of passage) and this notice must include information on how to file an appeal.

An appeal of an EDC by-law goes to the Ontario Land Tribunal (OLT)^[1] to be decided. All appeals must be filed in writing with the secretary of the school board within the allotted time allowed. The reasons for the appeal must be included in the notice. It is the responsibility of the secretary of the school board to forward a copy of the Notice of Appeal to the OLT within 30 days after the last day of the appeal period. In addition to the Notice of Appeal, the secretary must provide:

- A copy of the by-law certified by the secretary;
- A copy of the background study;
- An affidavit or declaration certifying that notice of the passing of the by-law was provided in accordance with the *Education Act*; and
- The original or true copy of all written submissions and material relevant to the by-law.

After hearing an appeal, the OLT may decide to:

- Dismiss the appeal in whole or in part.

^[1] The Ontario Land Tribunal (OLT), formerly known as the Local Planning Appeal Tribunal (LPAT) and, earlier, as the Ontario Municipal Board (OMB),



- Order the board to repeal or amend the by-law.
- Repeal or amend the by-law itself.

If the by-law is repealed, the EDCs that have already been paid must be refunded. If the by-law is amended and the amended charge is lower than the original charge, the difference must be refunded. All refunds are due within 30 days of the by-law being repealed or amended. While the OLT does have the power to repeal or amend the by-law, they are not able to increase the quantum of the charge, remove or reduce the scope of discretionary exemptions or change the expiration date of the by-law.

Amendments

The EDC legislation gives school boards the authority to amend their by-laws. Section 257.70 (1) of the Act states: “Subject to subsection (2), a board may pass a by-law amending an education development charge by-law.” There are certain limitations to an EDC amendment, specifically laid out in section 257.70 (2) of the Act, as follows:

A board may not amend an education development charge by-law so as to 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:

- Increase the amount of an EDC.
- Remove or reduce the scope of an exemption.
- Extend the term of the by-law.

There are a variety of reasons why school boards may feel the need to amend their by-law. School boards may be paying more for school sites than what was estimated in the EDC and may need to increase their land cost assumptions, or they may need to change a discretionary exemption. The board does not need Ministry approval to pass an amending by-law; however, boards are required to provide proper notice proposing an amendment and of the amendment itself. Boards are also required to ensure that the original EDC background study is available, as well as any additional information that would explain the reason for the amendment. A public meeting is not required to pass an amending by-law, but it is recommended.



Chapter 3

The Process and Methodology for Calculating an Education Development Charge



3. The Process and Methodology for Calculating an Education Development Charge

The following chapter will outline the procedures and methodologies utilized to calculate the EDC. As mentioned earlier in this report, the EDC calculation is formulaic and technical in nature and encompasses three main components – demographic projections, determination of need (new school sites), and the associated costs.

3.1 Eligibility

School boards must meet certain criteria or “triggers” to be eligible to impose EDCs. The first criterion deals with the board’s average projected enrolment compared to its OTG capacity. The second set of criteria, available only to school boards with an existing in-force by-law, deals with outstanding EDC financial obligations.

Capacity Trigger

If a school board’s average elementary or secondary enrolment on a jurisdiction-wide basis over the five years following the proposed by-law passage is greater than the board’s elementary or secondary OTG capacity, then it is eligible to impose an EDC. Qualification on either panel allows the board to impose EDCs throughout its jurisdiction for both elementary and secondary new school sites. Form A of the EDC submission sets out the board’s projected average daily enrolment over the proposed five-year term of the EDC by-law (2021 to 2025, inclusive), as compared to the board’s OTG capacity on both the elementary and secondary panels.

The board’s OTG capacity for the EDC is based on the Ministry-approved permanent capacity according to the School Facilities Inventory System on the proposed date the new by-law is to come into force. Additional adjustments may be made to the capacity figure used in the study, in consultation with Ministry staff and for circumstances such as:

- OTG capacity of schools that are transferred from one panel to the other within 12 months of by-law passage may be attributed to the panel the school will be used for after the transfer is complete. Boards must have passed a resolution for this to take effect.



- The capacity of all schools or additions under construction and that are planned for opening within 12 months of the by-law coming into force are to be included in the capacity determination.
- Purpose-built space that cannot be reasonably used to accommodate pupils from new growth may be excluded from the permanent capacity determination.
- The capacity of a leased school must be included if the school has a “New Pupil Place” capacity attributed to it. The “New Pupil Place” capacity is the capacity used in the determination of Ministry grants.
- Any schools that have been closed (in accordance with the board’s school closure policy) may be excluded from the permanent capacity. In addition, if a school is scheduled to close during the tenure of the by-law (with board-passed resolution) then the capacity may also be excluded.

The permanent capacity used for the PVNCCDSB is **10,585** spaces on the elementary panel and **5,286** on the secondary panel. Comparably, the KPRDSB has determined a permanent capacity of **25,195** on the elementary panel and **12,444** on the secondary panel in the County/City of Peterborough.

Both Boards meet the capacity trigger on the elementary panel within the County/City of Peterborough. The PVNCCDSB’s average projected enrolment from 2021/22 to 2025/26, jurisdiction-wide, is **10,732** compared to a capacity of **10,585**, for a deficit of 147 spaces. For the KPRDSB, the Board’s average projected enrolment is **25,997** compared to the capacity of **25,195**, leaving a deficit of **802** spaces.

On the secondary panel, both Boards’ 2021/22 to 2025/26 averages result in surplus spaces and do not meet the capacity trigger. For the PVNCCDSB, the five-year secondary enrolment average is calculated at **5,018** compared to the capacity of **5,286**. This results in **268** surplus secondary spaces. For the KPRDSB, the five-year enrolment average is calculated at **10,500**, resulting in **1,944** surplus spaces.

Form A from the EDC Ministry Submission for both Boards can be found on the following pages.



Figure 3-1: Peterborough Victoria Northumberland and Clarington Catholic District School Board – Form A

A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL

Elementary Panel Board-Wide EDC Capacity	Projected Elementary Panel Enrolment						Elementary Average Projected Enrolment Less Capacity
	Year 1 2021/ 2022	Year 2 2022/ 2023	Year 3 2023/ 2024	Year 4 2024/ 2025	Year 5 2025/ 2026	Average Projected Enrolment Over Five Years	
10,585.0	10,485	10,582	10,753	10,816	11,021	10,732	147

A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL

Secondary Panel Board-Wide EDC Capacity	Projected Secondary Panel Enrolment						Secondary Projected Enrolment Less Capacity
	Year 1 2021/ 2022	Year 2 2022/ 2023	Year 3 2023/ 2024	Year 4 2024/ 2025	Year 5 2025/ 2026	Average Projected Enrolment Over Five Years	
5,286.0	4,765	4,902	4,990	5,175	5,258	5,018	-268



Figure 3-2: Kawartha Pine Ridge District School Board – Form A

A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL

Elementary Panel Board-Wide EDC Capacity	Projected Elementary Panel Enrolment						Elementary Average Projected Enrolment Less Capacity
	Year 1 2021/ 2022	Year 2 2022/ 2023	Year 3 2023/ 2024	Year 4 2024/ 2025	Year 5 2025/ 2026	Average Projected Enrolment Over Five Years	
25,195.0	25,000	25,485	26,024	26,484	26,993	25,997	802

A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL

Secondary Panel Board-Wide EDC Capacity	Projected Secondary Panel Enrolment						Secondary Projected Enrolment Less Capacity
	Year 1 2021/ 2022	Year 2 2022/ 2023	Year 3 2023/ 2024	Year 4 2024/ 2025	Year 5 2025/ 2026	Average Projected Enrolment Over Five Years	
12,444.0	10,013	10,361	10,571	10,715	10,841	10,500	-1,944



Financial Obligations

A school board that has an existing EDC by-law in place, and has outstanding financial obligations related to its existing by-law that exceed the balance of the EDC reserve fund, is eligible to impose EDCs. It is possible for a board to have sufficient capacity to accommodate projected enrolment, yet still be obligated to pay for sites that have been purchased as a result of a growth-related need. Outstanding financial obligations can result from a board not having collected enough revenue because of growth shortfalls or an increase in land prices, or if a board has purchased school sites earlier than what was projected in the background study.

This financial obligation eligibility trigger was added to the original capacity trigger criteria with an amendment to O. Reg. 20/98 and came into force on March 12, 2002.

For school boards to qualify under this trigger, an EDC financial obligation must be demonstrated in the background study including the following required information:

- The board must have a previous by-law in effect after September 1, 1999.
- Funds borrowed from the EDC reserve fund must be reconciled back.
- Copies of Appendices D1 and D2 must be provided.
- A transaction history of EDC financial activity must be provided from the last Appendix D1 and Appendix D2 statements to proposed by-law implementation.
- A repayment schedule outlining the elimination of the EDC financial obligation must be provided.

An outstanding EDC financial obligation exists if the adjusted outstanding principal as per Appendix D of the board's financial statements (plus any adjustments made), is greater than the adjusted EDC reserve fund balance. **Since there is no EDC currently in place for the County or City there cannot be outstanding EDC financial obligations and so this criterion is not relevant for the present evaluation.**

3.2 Demographic Projections

The demographic projections respecting school enrolment, and housing and population growth form an important basis for the entire EDC analysis. These projections ultimately determine eligibility, need, and the final quantum of the charge. The housing unit forecasts contained in this study are consistent with the most recent municipal



forecasts that were available at the time of study. Background, methodologies, and overviews of both the enrolment and housing forecasts can be found in Chapter 4 of this report.

The demographic projection requirements of the EDC consist of three distinct components: projecting the number of annual building permits that will be issued for new dwelling units and new non-residential space; projecting enrolment of the existing community; and projecting enrolment from new housing growth.

New Dwelling Units

The number of new dwelling units in the area governed by the EDC by-law must be estimated for each of the next 15 years. The forecast is set out by three types of development, low density (single and semi-detached houses), medium density (townhouses) and high density (apartments) and is broken down by the school board review areas that were outlined earlier in this report in section 1.4.

The forecast is set out by varying types of development for two reasons. The first is that different types of development produce school-aged children in different ways. Lower-density developments typically produce greater numbers of school-aged children than do apartments. Defining various types of developments allows for greater accuracy when projecting the number of new pupils arising from new developments. The second reason is to allow for the calculation of a differentiated charge should the Boards choose to do so. Each Board has the ability to charge a uniform EDC rate across all types of development – meaning that the EDC is one rate for a single detached unit or an apartment – or can choose to charge separate rates depending on the type of development.

There are certain situations, as defined by the legislation, where specific developments are exempt from EDCs, such as housing intensification. The forecast of *net new dwelling units* should ensure that these exempt units are factored into any forecast and excluded.

Existing Community Projections and Projections of New Pupils

The enrolment projections required in order to calculate EDCs must be made up of two distinct projections, one for the existing community and one for pupils from new housing growth. This is done because ultimately the number of total growth-related pupils must



be offset by any available pupil places that are not required by pupils of the existing community in year 15 of the forecast. The existing community projection must estimate, by school, the number of students for 15 years based on the number of existing students today and assuming no additional new housing growth. The Board's total OTG capacity of the review area (as of by-law inception) less the projected number of existing community pupils in the review area in year 15, is the Board's *total available space*.

The determination of pupils from new development is based on the aforementioned housing forecast and the use of pupil yield factors. Pupil yields are mathematical representations of the number of school-aged children that will be generated by a particular dwelling over the planning forecast and that will attend a particular school board. Pupil yields used in this analysis are based on Statistics Canada data and Board historical enrolment information. Multiplying the pupil yield factors by the appropriate type of developments in the net new dwelling forecast determines the projected pupils from new development.

To determine the total *net growth-related pupil place requirements*, the available pupil places (total available space referenced above) must be subtracted from the total pupils projected from new development. Enrolment projections and the determination of net growth-related pupil places can be done on a jurisdiction-wide basis or on a review area basis. The EDC analysis in this study is based on a review area approach.

Site Needs

The final “planning” or “forecasting” step in the EDC process is to determine a board's site needs, specifically the number, location, and size of sites for new growth-related schools. The calculation of net growth-related pupil place requirements ultimately determines the number of necessary sites and their size. The regulation governing the EDC provides a table of maximum sizes depending on the number of pupil places that will be constructed. These tables can be found on the following page.

While the calculations shown in the tables ultimately determine the amount/size of land that will be necessary for new school sites, the legislation also recognizes that there may be situations in which the necessary site for a new school may exceed the size specified in the table. For example, a board may need a larger site to accommodate



certain municipal requirements or Ministry initiatives. Should a site exceed the legislative requirements, justification must be included in the EDC background study.

Table 3-1: Elementary School Maximum Area to Pupils

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

Table 3-2: Secondary School Maximum Area to Pupils

Number of Pupils	Maximum Area (acres)
1 to 1,000	12
1,001 to 1,100	13
1,101 to 1,200	14
1,201 to 1,300	15
1,301 to 1,400	16
1,401 to 1,500	17
1,501 or more	18

Form G of the Ministry EDC Forms submission provides specific details on each site the Board is proposing to acquire to construct new schools. On a site-by-site basis, Form G provides information on the general location of the site (by review area or greater detail, if available), the proposed size of the new school, the approximate timing of site purchase as well as the percentage of the site that is considered EDC eligible. The Ministry also recommends that proposed site purchases for new schools are consistent with the Board's long-term accommodation plans.



3.3 Growth-related Net Education Land Costs

The planning or forecasting component of the EDC analysis is critical to determining the overall EDC-eligible needs of the Boards. To finalize the calculation process of the EDC, these accommodation needs must be translated into financial requirements. The analysis in the previous section determined the total growth-related pupil needs as well as the amount of land (in acres) that will be required to accommodate those pupils. EDC-eligible expenses are determined by attaching costs to acquire and service the land needed.

Land acquisition costs have been determined by qualified appraisers and the methodologies used as well as relevant data can be found in Chapter 5 of this report. Servicing costs are based on historical costs provided by the school boards with respect to sites that have been recently developed. Once costs for each site have been finalized, the next step is to determine the percentage of each site that is EDC eligible. This is based on the percentage of net growth-related students that make up the total capacity of the proposed new school. For example, if the new proposed school had a capacity of 450, and 400 of the spaces were accounted for by new growth-related pupils, then the site would be 88.88% eligible for EDCs ($400/450 = 88.88\%$).

In addition to site acquisition and servicing costs, there are other EDC-eligible expenses that can be included in the analysis. Examples of other EDC-eligible costs include:

- Interest and borrowing costs related to site acquisition;
- Land escalation costs;
- Costs related to the preparation and distribution of EDC background studies;
- Costs related to studies of land being considered for acquisition (environmental assessments); and
- Costs to service/prepare land for construction (grading, service lines, etc.).

Outstanding Financial Obligations

In addition to the costs that have been outlined above, any outstanding financial obligations from previous by-laws are also eligible education land costs. A negative balance in the Boards' EDC reserve funds, established for the area to which the proposed by-laws will apply, is considered an outstanding financial obligation and can be added to the total net education land costs. It should be noted that if the Boards



have a positive balance in their EDC reserve funds, these funds must be used to defray any EDC-eligible expenditures. The total eligible costs are referred to as the *total growth-related net education land costs*.

3.4 Determination of the Charge

Once the total growth-related net education land costs have been determined, there are certain prescribed steps that must be followed to determine the actual quantum of the EDC. As discussed in Chapter 2, the legislation allows school boards to determine the type of EDC it will impose. Boards can impose EDCs on residential or non-residential developments and can also charge a uniform rate for all types of developments or can differentiate the rate based on dwelling unit types.

Apportionment of Land Costs

The legislation allows school boards to allocate up to 40% of their education land costs to non-residential development. If a school board had a non-residential component to their EDCs, then the land costs would be multiplied by whatever percentage the board deemed to be apportioned to non-residential. For example, if the total land costs were estimated to be \$1 million and the non-residential allocation was 10%, then the *non-residential growth-related net education land costs* would total \$100,000. The remaining balance would make up the *residential growth-related net education land costs*.

To determine the residential charge (assuming a uniform charge), the total residential growth-related net education land costs are divided over the projected number of net new dwelling units assumed in the EDC forecast over the next 15 years. The result is the amount of the uniform residential EDC per dwelling unit. If charges are to be imposed on non-residential development, there are two ways in which they can be calculated. If the board chooses to use a non-residential forecast of GFA, then the total non-residential growth-related net education land costs are divided by the estimated GFA of the proposed non-residential developments. The board can also choose to use a non-residential forecast of estimated declared values where the non-residential land costs are divided by the projected declared values and multiplied by 100 to get a non-residential charge.



Once the residential charge is determined, it can be charged uniformly across all types of development or different rates can be charged depending on the types of units being built. If the EDC is applied in a uniform manner, then the total residential land costs are simply divided over the estimated net new dwelling units as described earlier. If the board chooses to impose a differentiated EDC, then the charges are apportioned on the basis of different unit types producing different amounts of pupils. Boards may choose to define developments as they wish (i.e., low density, high density, condos, apartments, single family, etc.) but are encouraged to stay as consistent as possible with categories used by the municipalities impacted by the by-law.

A distribution factor is determined by the distribution of growth-related pupils amongst the various unit types defined by the board. For example, if 100 students were from low-density developments, 50 from medium-density developments and 10 from high-density developments, the distribution factors would be 62.5% for low density ($100/160$), 31.25% for medium density and 6.25% for high density. These distribution factors are then multiplied by the total residential land costs to determine the apportioned residential land costs by development type. Each separate amount is then divided by the number of net new units for the particular development type to arrive at the *differentiated residential EDC per unit by development type*.

A flow chart detailing the EDC process can be found on the following page. In addition, the Ministry EDC Forms, which detail the calculations required to determine the EDC, can be found in Appendix A at the end of this report.



EDC Process and Methodology

