


This is Exhibit "7" referred to in the.....
.....Affidavit of Christopher Paul Bloye.....
Affirmed before me, this 27th day of July, 2018



A Commissioner for Taking Affidavits
Padraic Ryan
LSO# 61687J

Français

ONTARIO REGULATION 95/02

made under the

EDUCATION ACT

Made: March 8, 2002

Filed: March 12, 2002

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Amending O. Reg. 20/98

(EDUCATION DEVELOPMENT CHARGES — GENERAL)

1. (1) The definition of "existing industrial building" in section 1 of Ontario Regulation 20/98 is revoked and the following substituted:

"existing industrial building" means a building used for or in connection with,

- (a) manufacturing, producing, processing, storing or distributing something,
- (b) research or development in connection with manufacturing, producing or processing something,
- (c) retail sales by a manufacturer, producer or processor of something they manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production or processing takes place,
- (d) office or administrative purposes, if they are,
 - (i) carried out with respect to manufacturing, producing, processing, storage or distributing of something, and
 - (ii) in or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution; ("immeuble industriel existant")

(2) Section 1 of the Regulation is amended by adding the following subsection:

(2) References in this Regulation to the "board-determined GFA" are references to,

- (a) the gross floor area as determined under the applicable education development charge by-law, if the expression "gross floor area" is defined in the by-law; or
- (b) the gross floor area as defined in subsection (1), if the applicable education development charge by-law does not contain a definition of "gross floor area".

2. The French version of the Table in section 3 of the Regulation is amended by adding "le plus petit" before "que contient" in the fourth column opposite "Autres immeubles d'habitation".

3. Subsection 5 (2) of the Regulation is revoked and the following substituted:

(2) If the board-determined GFA of the non-residential part of the replacement building exceeds the board-determined GFA of the non-residential part of the building being replaced, the board is only required to exempt the owner with respect to the portion of the education development charge calculated in accordance with the following formula:

$$\text{Exempted portion} = [\text{GFA}(\text{old}) \div \text{GFA}(\text{new})] \times \text{EDC}$$

where,

"Exempted portion" means the portion of the education development charge that the board is required to exempt,

"GFA (old)" means the board-determined GFA of the non-residential part of the building being replaced,

"GFA (new)" means the board-determined GFA of the non-residential part of the replacement building,

"EDC" means the education development charge that would be payable in the absence of the exemption.

4. (1) Subparagraph 9 iii of section 7 of the Regulation is amended by striking out "growth-related net education land cost" and substituting "forecasted growth-related net education land cost".

(2) Section 7 of the Regulation is amended by adding the following paragraph:

9.1 Despite paragraph 9, if the board intends to impose different charges on different types of residential development, the board shall determine,

- i. the percentage of the growth-related net education land cost to be funded by charges on residential development that is to be funded by each type of residential development,
- ii. the charges on each type of residential development, subject to the rules in subparagraphs 9 i, ii and iii.

(3) Subsubparagraph 10 i A of section 7 of the Regulation is amended by striking out "gross floor area" and substituting "board-determined GFA".

(4) Subparagraph 10 vi of section 7 of the Regulation is amended by striking out "growth-related net education land cost" and substituting "forecasted growth-related net education land cost".

5. Paragraph 2 of section 10 of the Regulation is revoked and the following substituted:

2. At least one of the following conditions:

- i. The estimated average number of elementary school pupils of the board over the five years immediately following the day the board intends to have the by-law come into force exceeds the total capacity of the board to accommodate elementary school pupils throughout its jurisdiction on the day the by-law is passed.
- ii. The estimated average number of secondary school pupils of the board over the five years immediately following the day the board intends to have the by-law come into force exceeds the total capacity of the board to accommodate secondary school pupils throughout its jurisdiction on the day the by-law is passed.
- iii. At the time of expiry of the board's last education development charge by-law that applies to all or part of the area in which the charges would be imposed, the balance in the education development charge reserve fund 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 education development charges imposed under that by-law.

6. Section 13 of the Regulation is revoked and the following substituted:

13. If a proposed amendment to an education development charge by-law would change a rate used to determine the amount of an education development charge, section 7 applies with necessary modifications before the by-law to make the amendment is passed.

7. Clause 16 (2) (a) of the Regulation is revoked and the following substituted:

(a) 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;

8. Section 18 of the Regulation is amended by adding the following subsections:

(2) Despite subsection (1),

(a) the prescribed interest rate for periods after this subsection comes into force for the purposes of subsections 257.69 (3) and 257.90 (2) of the Act, in respect of refunds in connection with an education development charge by-law, is the rate of interest determined under subsection (3); and

(b) the minimum interest rate that a board shall pay for the purposes of section 257.99 of the Act in respect of an amount borrowed from an education development charge reserve fund established in connection with an education development charge by-law that is made after the day this subsection comes into force is the rate of interest determined under subsection (3).

(3) For the purposes of subsection (2), the rate of interest in respect of amounts payable in connection with an education development charge by-law is,

(a) the Bank of Canada rate on the day the by-law comes into force; or

(b) the Bank of Canada rate on the day the by-law comes into force, as adjusted to the current Bank of Canada rate on the first day of every following January, April, July and October, if the by-law authorizes the adjustments.

9. Subsection 19 (2) of the Regulation is revoked and the following substituted:

(2) A reference in the Schedule to an upper-tier municipality or to a local municipality shall be read as a reference to the geographic area that is under the jurisdiction of the municipality on January 1, 2002, unless otherwise stated in the Schedule.

(3) In this section and the Schedule,

"local municipality" means a single-tier municipality or a lower-tier municipality; ("municipalité locale")

"upper-tier municipality" means a municipality of which two or more lower-tier municipalities form part for municipal purposes. ("municipalité de palier supérieur")

(4) In subsection (3),

"lower-tier municipality" means a municipality that forms part of an upper-tier municipality for municipal purposes; ("municipalité de palier inférieur")

"municipality" means a geographic area whose inhabitants are incorporated; ("municipalité")

"single-tier municipality" means a municipality, other than an upper-tier municipality, that does not form part of an upper-tier municipality for municipal purposes. ("municipalité à palier unique")

10. (1) Paragraph 6 of subsection 20 (1) of the Regulation is revoked and the following substituted:

6. The total board-determined GFA of the non-residential development in respect of which education development charges, determined using a rate applied to the board-determined GFA of the development, are imposed by the board. The total board-determined GFA shall not include the gross floor area of a development with respect to which subsection 257.55 (3) of the Act applies or the board-determined GFA to which subsection 5 (2) of this Regulation applies.

(2) Paragraph 9 of subsection 20 (1) of the Regulation is amended by striking out "gross floor area" wherever it appears in subparagraphs i and ii and substituting in each case "board-determined GFA".

11. (1) The Schedule (Regions) to the Regulation is amended by striking out the heading "Northern Ontario".

(2) Paragraph 2 of the Schedule (Regions) to the Regulation is revoked and the following substituted:

2. The area of jurisdiction of the former Beardmore, Geraldton, Longlac and Area Board of Education, as it existed on December 31, 1997, and the former Kilkenny District School Area.

(3) Paragraph 6 of the Schedule (Regions) to the Regulation is revoked and the following substituted:

6. The area of jurisdiction of the former Dryden Board of Education, as it existed on December 31, 1997, and the former Sturgeon Lake District School Area.

(4) Paragraph 16 of the Schedule (Regions) to the Regulation is revoked and the following substituted:

16. The area of jurisdiction of the former Lakehead Board of Education, as it existed on December 31, 1997 and the former Kashapowie District School Area.

(5) Paragraphs 29 to 72 of the Schedule (Regions) to the Regulation are revoked and the following substituted:

29. The local municipality of South Algonquin.

30. The local municipalities of Brantford and County of Brant.

31. The upper-tier municipality of Bruce.

32. The upper-tier municipality of Dufferin.

33. The upper-tier municipality of Elgin and the local municipality of St. Thomas.

34. The upper-tier municipality of Essex and the local municipality of Pelee.

35. The geographic area of the Frontenac Management Board, as set out in paragraph 3.3 (b) of an Order made under section 25.2 of the *Municipal Act* on January 7, 1997 and published in *The Ontario Gazette* dated February 15, 1997, and the local municipality of Kingston.

36. The upper-tier municipality of Grey.

37. The upper-tier municipality of Haliburton.

38. The upper-tier municipality of Hastings, the local municipality of Belleville and the portions of the geographic area of the local municipality of Quinte West that on December 31, 1997 were included in the geographic area of the upper-tier municipality of Hastings or of the former City of Trenton.

39. The upper-tier municipality of Huron.

40. The local municipality of Chatham-Kent.

41. The upper-tier municipality of Lambton.

42. The upper-tier municipality of Lanark and the local municipality of Smiths Falls.

43. The upper-tier municipality of Leeds and Grenville and the local municipalities of Brockville, Gananoque and Prescott.

44. The upper-tier municipality of Lennox and Addington.

45. The upper-tier municipality of Middlesex.

46. The upper-tier municipality of Northumberland, the local municipality of Clarington and the portion of the geographic area of the local municipality of Quinte West that on December 31, 1997 was included in the geographic area of the upper-tier municipality of Northumberland.

47. The upper-tier municipality of Oxford.

48. The upper-tier municipality of Perth and the local municipalities of St. Marys and Stratford.

49. The upper-tier municipality of Peterborough and the local municipality of Peterborough.

50. The upper-tier municipality of Prescott and Russell.

51. The local municipality of County of Prince Edward.

52. The upper-tier municipality of Renfrew and the local municipality of Pembroke.
53. The upper-tier municipality of Simcoe and the local municipalities of Barrie and Orillia.
54. The upper-tier municipality of Stormont, Dundas and Glengarry and the local municipality of Cornwall.
55. The local municipality of Kawartha Lakes.
56. The upper-tier municipality of Wellington and the local municipality of Guelph.
57. The upper-tier municipality of Durham, except for the local municipality of Clarington.
58. The local municipality of Haldimand County.
59. The local municipality of Norfolk County.
60. The upper-tier municipality of Halton.
61. The local municipality of Hamilton.
62. The portion of the upper-tier municipality of Niagara that on December 31, 1997 was the school division of The Lincoln County Board of Education.
63. The portion of the upper-tier municipality of Niagara that on December 31, 1997 was the school division of The Niagara South Board of Education.
64. The local municipality of Ottawa.
65. The upper-tier municipality of Peel.
66. The upper-tier municipality of Waterloo.
67. The upper-tier municipality of York.
68. The local municipality of London.
69. The local municipality of Toronto.
70. The local municipality of Windsor.

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