

Property Disposition

When a property is no longer required (closed school or vacant property) for school or administration use, it is deemed surplus by the Board of Trustees and can be sold at fair market value following the procedures outlined in Ontario Regulation 444/98. Board owned properties are deemed surplus after staff investigates the possibility of using the property as a school site through analyzing enrolment projections, demographic information and Ministry direction. When these factors indicate that a property will not be needed to address long-term accommodation, the property is deemed surplus. The Board has a Property Disposition Policy that ensures our partners and the community are made aware of the sale of any Board lands through the disposal process. This allows stakeholders time to work with their community partners to evaluate their interests in the land for their neighbourhood.

In June 2015, the Ministry of Education released the Proceeds of Disposition (POD) Policy which incorporates several changes to how Proceeds of Disposition can be spent. As per the policy PODs must be used for the repair or replacement of components within a school. Boards must spend a minimum 80% of their PODs on building substructure (e.g. foundations, walls), superstructure (e.g. roofs, window) and service (e.g. plumbing, HVAC, Fire). The remaining 20% can be used to address the three above-mentioned categories as well as interiors, equipment, furnishings, special construction and building site work. Boards can request to use PODs for capital priorities (e.g. new schools, replacement school) through a Minister's exemption.

Ontario Regulation 444/98

Ontario Regulation 444/98: Disposition of Surplus Real Property is the legislated process the Board must follow when disposing of its surplus properties. The process is a two-phased approach that circulates the property for 180 days to a defined list of preferred bodies (see below) first. During the first 60 days of the circulation to preferred bodies, HWDSB staff hold a public information session to inform the public of the process. If no offer or agreement is reached with a preferred body, the property enters phase 2 and can be sold on the open market.

For more information on the O. Reg 444/98 please see: <https://www.ontario.ca/laws/regulation/980444>

For more information on [HWDSB's Property Disposition Policy](#) and [Property Disposition Procedure](#), please follow the links to HWDSB's website.

For up to date information regarding current properties for sale, sold properties and properties in the process of disposition please visit HWDSB's [Property Webpage](#).

Property Acquisition through Educational Development Charges

HWDSB adopted its Education Development Charge (EDC) By-law on August 25, 2014. EDCs are a primary source of funding site acquisition needs for a school board experiencing growth within its jurisdiction. The By-law has a term of five years and applies to building permit applications that have been submitted to the City of Hamilton after August 29, 2014. This is in relation to a building or structure for below ground or above ground construction. The By-law will expire on August 29, 2019.

Based on this assessment, the following rates were imposed when the By-law came into effect on August 30, 2014: \$1,039 per residential unit and \$0.39 per square foot of gross floor area of non-residential development.

The following table depicts future school sites identified through the EDC by-law background study. School sites with the status of purchased have been acquired by HWDSB using EDC funding. Sites with designated status have been identified through City of Hamilton secondary plans and have not been purchased by HWDSB. Finally, school sites with the status of TBD have not been identified in long term municipal planning documentation and the locations are undetermined.

Elementary Sites

Name	Location	Status	Estimated Acquisition
Summit Park Site	Bellagio Ave at Keystone Cres	Purchased	2015
South Waterdown Site	Waterdown - South of Highway 5 in Mountainview Heights development	Designated	2018
South Binbrook Site	Binbrook - South of Binbrook Rd	Designated	2019
Nash Site	First Rd West and Green Mountain Rd	Designated	2020
Fruitland - Winona Site	Jones Rd at Barton St E	Designated	2022
East Glanbrook/Upper Stoney Creek Site	TBD	TBD	2024
Ancaster Site	TBD	TBD	2026
Binbrook Site	TBD	TBD	2025
East Waterdown Site	TBD	TBD	2027
West Waterdown Site	TBD	TBD	2027

Secondary Sites

Name	Location	Status	Acquisition
South Secondary	Upper Sherman and Rymal Rd East	Purchased	2017

The EDC by-law will be renewed in August 2019 and these and potentially additional future school sites will be reviewed as part of the EDC by-law background study.

For more information on Educational Development Charges please visit HWDSB's [EDC Webpage](#).