

- every place of worship that is used primarily as a place of public worship and land used in connection therewith, and every churchyard, cemetery or burying ground, if they are exempt from taxation under section 3 of the *Assessment Act*; and.
- Non-residential agricultural buildings.

TIMING OF PAYMENT OF EDUCATION DEVELOPMENT CHARGES:

Charges Payable:

Education development charges are payable to the City of Hamilton, upon the date that the first building permit is applied for (on or after June 22, 2013) in relation to a building or structure for below ground or above ground construction.

CONVERSION CREDITS:

Notwithstanding any other provision of this By-law, this section applies where an education development charge has previously been paid in respect of development on land and the land is being redeveloped.

BY-LAW INSPECTION:

By-law No. 13-1 adopted by the Hamilton-Wentworth District School Board is available for inspection during regular business hours, in the Board's offices at 120 King Street West, Suite 1120, Hamilton, Ontario L8N 3L1.

Any inquiries with respect the Hamilton-Wentworth District School Board's Education Development Charges By-law should be directed to the Planning & Accommodation Department, 905-527-5092.

This pamphlet summarizes the Education Development Charges imposed by the Hamilton-Wentworth District School Board. The information contained herein is intended only as a guide. Interested parties should review the approved by-law and consult with the City of Hamilton to determine the applicable charges that may apply to specific development proposals.

EDUCATION DEVELOPMENT CHARGES PAMPHLET

FOR THE

***HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD
BY-LAW No. 13-1***

**HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD
EDUCATION DEVELOPMENT CHARGES**

LEGISLATIVE AUTHORITY:

Division E of Part IX of the *Education Act* enables a district school board to pass by-laws for the imposition of education development charges against residential and/or non-residential development, if residential development in the area of jurisdiction of the board increases education land costs, and the development requires one or more of the actions set out below and described in section 257.54 of the *Education Act*:

- the passing of a zoning by-law or an amendment to a zoning by-law under section 34 of the *Planning Act*;
- the approval of a minor variance under section 45 of the *Planning Act*;
- a conveyance of land to which a by-law passed under subsection 50 (7) of the *Planning Act* applies;
- the approval of a plan of subdivision under section 51 of the *Planning Act*;
- a consent under section 53 of the *Planning Act*;
- the approval of a description under section 50 of the *Condominium Act*; or
- the issuing of a building permit under the *Building Code Act, 1992*, in relation to a building or structure.

Only one EDC is leviable for a development under the by-law's provisions, even if more than one planning approval is required.

PURPOSE OF EDUCATION DEVELOPMENT CHARGES:

Education development charges are used to fund the acquisition of school sites, and related costs, to accommodate growth-related pupil needs.

EDUCATION DEVELOPMENT CHARGE BY-LAW PROCESS:

The Hamilton-Wentworth District School Board held Public Meetings on May 13, 2013 and June 17, 2013 and subsequently adopted a by-law on June 17, 2013.

The effective implementation date for the board's by-law is June 22, 2013. The by-law has a term of fourteen months and one week and applies to building permit applications that have been submitted to the City of Hamilton after June 21, 2013, in relation to a building or structure for below ground or above ground construction.

EDUCATION DEVELOPMENT CHARGE RATES:

By-law No. 13-1 imposes single uniform **residential and non-residential** education development charge rates on development on lands within the City of Hamilton, as follows:

	Residential \$/new residential unit	Non-residential \$/new sq.ft. of gross floor area¹
Hamilton-Wentworth District School Board	\$1,040.00	\$ 0.40

BY-LAW EXEMPTIONS:

In addition to the statutory exemptions required under the *Education Act*, and set out in the by-law, the Board has a number of non-statutory exemptions which were approved by the Board. These are as follows:

- the municipality or a local board thereof;
- a district school board;
- a public hospital receiving aid under the *Public Hospitals Act* R.S.O. 1990, c. P.40;
- a university, community college or a college of applied arts and technology established under the *Ontario Colleges of Applied Arts and Technology Act 2002*, S.O. 2002 c.8 Schedule F or a predecessor statute;
- Metrolinx, or a predecessor or successor corporation identified under the *Metrolinx Act, 2006* S.O. 2006, c.16 as amended from time to time ("GO Transit");

¹ "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 is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure.