

LONG-TERM FACILITIES PLAN



Section 1.3: Property

In supporting the Guiding Principals, the Hamilton- Wentworth District School Board ensures that its facilities and real property are efficiently and successfully managed. This includes site acquisition, leasing of facilities or property and disposition of surplus property.

Site Aquisition

The Board is committed to securing school sites to provide student and administrative accommodation needs within the City of Hamilton. The following are various ways the Board may acquire a school site and provide student and staff accommodation:

- Municipal Planning Process
- Lease of a Property or Facility
- Purchase of site through Ontario Regulation 374/23
- Expropriation

The following subsections provide a general overview of key acquisition methods that are at the disposal of the Board.

Municipal Planning Process

The standard process the Board undertakes to identify, secure and acquire new school sites in growth areas of the city is through the municipal secondary planning process. A secondary plan is considered the second layer of the city- wide Official Plan and is developed in consultation with landowners, and public agencies such as school boards. The Board is an active participant in these processes and identify how many elementary and/or secondary sites are required to meet future accommodation needs, as well as preferred location and configuration of the sites.

After approval of the secondary plan, landowners will file applications for approval of subdivisions which implement the vision of the plan. At that time, the board can impose conditions on the application requiring that applicant enter into an agreement with the board to sell the site(s) through an agreement of purchase and sale or option for future purchase. In addition, the board will specify the key characteristics of the site, including size, shape, grading, servicing, etc., that meet the board's requirements. Once the subdivision is approved and registered, the board will either purchase the designated school block, or agree to purchase the block in the future. Once a site is owned, and Capital Priorities funding is available, the board may proceed to construct a school on the property.

For more information on the City of Hamilton's current active secondary plans please visit: [City of Hamilton Secondary Plans](#)



Lease of Property or Facility

The Board has the ability to enter into lease agreements for student or administrative accommodation with private entities or other public agencies. These leases have a defined term, with extensions dependent on the Board's accommodation needs.

Purchase of site through Ontario Regulation 374/23

Through the new Ontario Regulation 374/23: Acquisition and Disposition of Real Property, all school Boards must provide the Ministry of Education information and reports regarding their school properties. The Board provides plans for any acquisition, sale, lease or other disposition of school sites, parts of school sites or properties of the Board.

Through this process, the Ministry can either match coterminous school board needs with regards to disposition and acquisition of sites, or the Board may complete an Expression of Interest form to identify an interest in acquiring a property that is being disposed of by their coterminous boards.

For more information on the O. Reg 374/23 please see: [Ontario Regulation 374/23](#)

Expropriation

In certain circumstances, the Board may not be able to obtain a school site through the municipal planning approvals process. The Board has the power to expropriate land and may opt to pursue this method if:

1. The timing of development of a subdivision is not in alignment with the board's accommodation needs.
2. A landowner is unwilling to sell the lands through a standard process, and the board is required to advance the acquisition of lands.
3. The board and a landowner can not come to terms on the purchase price and timing requires that the board advance access to the site; and / or,
4. Other instances when the need for a new site is identified based on circumstances such as changing provincial policy resulting in increased enrolment pressures and accommodation needs, and a new school block must be created to accommodate students.

Funding Site Aquisition

Educational Development Charges (EDCs) are the primary source of funding site acquisition needs for a school board experiencing growth within its jurisdiction. The effective implementation date for the board's current EDC by-law is July 1, 2024. 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 July 1, 2024 in relation to a building or structure for below ground or above ground construction. The By-law will expire on July 1, 2029.

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

Lease Agreements

The Board may utilize agreements as a key tool in managing its facilities and properties. These agreements, include but are not limited to land leases, facility licenses, and joint use agreements, and are created collaboratively with community partners such as child care providers and the municipality.



40+ agreements with City of Hamilton currently in place



78 Child Care licence agreements within HWDSB facilities

In addition to these agreements, the Board also participates in Facility Partnerships and sharing space within its facilities. To learn more about Facility and Community partnerships please visit section 1.5 of this report and at the following link: [HWDSB Facility Partnerships](#).

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Site Disposition

On December 31, 2023, Ontario Regulation 374/23: Acquisition and Disposition of Real Property came into effect replacing the former Ontario Regulation 444/98. The updated regulation made a variety of changes to the acquisition and disposition of school board properties.

School boards may declare property or facilities surplus to their needs, or the Ministry of Education may identify property or facilities for mandatory disposition. The Minister of Education may direct a school board to sell at fair market value to a specific party or the open market. Public entities, such as municipalities, co-terminus school boards, colleges, universities and others may also signal their interest in future surplus directly to the Ministry.

For more information on the Board's Property Disposition Policy and Procedure, as well as up to date information on the sale of properties, please refer to the following link: [Properties for Sale](#)

Vacant and Holding Properties

The Hamilton-Wentworth District School Board owns vacant sites within the City of Hamilton, which may be used as future school locations or be sold at a later date. The following vacant sites are currently owned by the Board:

Falkirk West Site- Upper Paradise Road, Hamilton 6.00 acres



Pleasant Grove Site- 2339 5th Concession Road W., Troy 0.5 Acres



Use of Proceeds of Disposition

Proceeds of Disposition (POD) are generated when a school board sell surplus property. As per the Ministry of Education Proceeds of Disposition Policy, PODs can only 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.

In addition to vacant sites, the Board has identified certain sites as holding properties in the Board's Property Strategy. These properties are held in the Board's inventory with no intention to declare them surplus or move forward through Ontario Regulation 374/23. Properties are held for potential accommodation strategies for future residential growth, aging schools nearing the end of their life-cycle or programming strategies.

For more information on the Board's Holding Properties or Land Severances, please refer to the following link: [HWDSB Holding Properties.](#)