

BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD

EDUCATION DEVELOPMENT CHARGE AMENDING BY-LAW (2021)

A by-law to amend Education Development Charges By-law No. 2018-A3

WHEREAS the Brant Haldimand Norfolk Catholic District School Board enacted Education Development Charges By-law No. 2018-A3 on October 16, 2018;

AND WHEREAS Section 257.70 of the Education Act, R.S.O. 1990, c. E.2 (the “Act”), provides for amendments to education development charges by-laws;

AND WHEREAS the Brant Haldimand Norfolk Catholic District School Board requires amendments to Education Development Charges By-law No. 2018-A3;

AND WHEREAS in accordance with the Act, the background study for Education Development Charges By-law No. 2018-A3 has been made available to the public;

AND WHEREAS the Brant Haldimand Norfolk Catholic District School Board has made available to the public sufficient information to allow the public to understand the proposed amendments to Education Development Charges By-law No. 2018-A3;

AND WHEREAS the Brant Haldimand Norfolk Catholic District School Board has given notice of the proposed amendments to Education Development Charges By-law No. 2018-A3 in accordance with the Act and Ontario Regulation 20/98;

AND WHEREAS an opportunity was given to interested parties to provide comments and submissions to the Brant Haldimand Norfolk Catholic District School Board in respect of this amending by-law;

NOW THEREFORE, THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD HEREBY ENACTS AS FOLLOWS:

1. Section 4 of Education Development Charges By-law No. 2018-A3 is hereby repealed and replaced with the following:
 - (a) Subject to subsections 4(b) to (e), this by-law applies to all lands in the corporate limits of the City of Brantford except for the lands referred to as the “Development Charges Exemption Area” in Schedule “A” to By-law No. 32-2019 of the Corporation of the City of Brantford passed March 26, 2019, and applies to all lands in the corporate limits of the County of Brant except the First Nations reserve known as Six Nations Reserve Number 40 and the First Nations reserve known as the Mississauga of the New Credit Number 40A.
 - (b) This by-law shall not apply to lands that are owned by and are used for the purposes of:

- (i) a municipality or a local board thereof;
 - (ii) a district school board;
 - (iii) every place of 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*;
 - (iv) a farm building;
 - (v) an Indian reserve under the *Indian Act*, R.S.C. 1985, c.1-5.
- (c) Subject to subsection 4(d), an owner shall be exempt from education development charges if a development on its lands would construct, erect, or place a building or structure, or make an addition or alteration to a building or structure for one of the following purposes:
- (i) a private school;
 - (ii) a long-term care home, as defined in the *Long-Term Care Homes Act, 2007*;
 - (iii) a retirement home, as defined in the *Retirement Homes Act, 2010*;
 - (iv) a hospice or other facility that provides palliative care services;
 - (v) a child care centre, as defined in the *Child Care and Early Years Act, 2014*;
 - (vi) a memorial home, clubhouse or athletic grounds owned by the Royal Canadian Legion.
- (d) If only a portion of a building or structure, or an addition or alteration to a building or structure, referred to in subsection 4(c) will be used for a purpose identified in that subsection, only that portion of the building, structure, addition or alteration is exempt from an education development charge.
- (e) An owner shall be exempt from education development charges if the owner is,
- (i) a college of applied arts and technology established under the *Ontario Colleges of Applied Arts and Technology Act, 2002*;
 - (ii) a university that receives regular and ongoing operating funds from the Government of Ontario for the purposes of post-secondary education;
 - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.
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2. Section 9 of Education Development Charges By-law No. 2018-A3 is hereby repealed and replaced with the following:

Subject to the provisions of this by-law, an education development charge per dwelling unit shall be imposed upon the designated residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use, and in the case of a mixed-use building or structure, upon the dwelling units in the mixed-use building or structure. The education development charge per dwelling unit shall be in the following amounts for the periods set out below:

- (i) October 21, 2018 to November 27, 2021 - \$912.00;
 - (ii) November 28, 2021 to October 20, 2022 - \$1,212.00;
 - (iii) October 21, 2022 to October 20, 2023 - \$1,408.00.
3. For greater certainty, Education Development Charges By-law No. 2018-A3 remains in full force and effect subject to the amendments thereto described in Sections 1 and 2 of this amending by-law.
 4. This amending by-law shall come into force on November 28, 2021.

ENACTED AND PASSED this 23rd day of November, 2021

Chairperson

Director of Education and Secretary