



**Special Meeting of the Board  
Education Development Charge Policy Review Public Meeting  
Monday September 18, 2023 ♦ 3:00 p.m.  
Boardroom**

**Trustees:**

**Members:** Rick Petrella (Chair), Carol Luciani (Vice-Chair), Dennis Blake, Bill Chopp, Dan Dignard, Mark Watson

**Senior Administration:**

Michael McDonald (Director of Education & Secretary), Scott Keys (Superintendent of Business & Treasurer), Kevin Greco, Lorrie Temple, Phil Wilson (Superintendents of Education)

---

**1. Opening Business**

**1.1 Opening Prayer**

*Almighty God, bless us as we gather today for this meeting. Guide our minds and hearts so that we will work for the good of our community and be a help to all people. Teach us to be generous in our outlook, courageous in the face of difficulty, and wise in our decisions. We give you praise and glory, Lord our God, for ever and ever. Amen*

**1.2 Attendance**

**1.3 Approval of the Agenda**

Page 1

**1.4 Declaration of Interest**

**2. Delegations**

**3. Committee and Staff Reports**

**3.1 Education Development Charge Policy Review**

Pages 2-27

Presenter: Scott Keys, Superintendent of Business & Treasurer  
Jack Amendolia, Partner, Watson & Associates

**4. Closing Prayer**

*Heavenly Father, we thank you for your gifts to us: for making us, for saving us in Christ, for calling us to be your people. As we come to the end of this meeting, we give you thanks for all the good things you have done in us. We thank you for all who have shared in the work of this Board and ask you to bless us all in your love. We offer this prayer, Father, through Christ our Lord. Amen*

**5. Adjournment**

---

**REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC  
DISTRICT SCHOOL BOARD**

Prepared by: Scott Keys, Superintendent of Business & Treasurer  
Presented to: Board of Trustees  
Submitted on: September 18, 2023  
Submitted by: Mike McDonald, Director of Education & Secretary

**EDUCATION DEVELOPMENT CHARGE POLICY REVIEW**

Public Session

---

**BACKGROUND INFORMATION:**

The Board is in the process of replacing its current Education Development Charge By-law. Ontario Regulation 20/98, made under the Education Act, governs various aspects of Education Development Charges (EDC). Provincial legislation dictates that each School Board with an existing EDC by-law must conduct a review of its EDC policies prior to renewing their EDC by-law.

**DEVELOPMENTS:**

- Refer to **Appendix A** for the Board presentation on EDC Policy Review Public Meeting #1

The report and presentation are for the information of the Board. The second formal public meeting will be held immediately following the EDC Policy Review meeting to consider the proposed new EDC By-law. A further public meeting will be held on October 10, 2023 to give final consideration to the passage of the EDC By-law.

**RECOMMENDATION:**

THAT the Brant Haldimand Norfolk Catholic District School Board receive the Education Development Charge Policy review report for information.



# Education Development Charges Public Meeting

---

Brant Haldimand Norfolk Catholic District School Board

September 18, 2023

Page 3 of 27



# Public Meeting #1 EDC Policy Review

# What Is An Education Development Charge?



- An Education Development Charge is a development charge that is imposed under a bylaw respecting growth-related net education land costs incurred or proposed to be incurred by a School Board.
- This means it is a charge that is levied on new development that is paid by the developer/permit taker when the building permit is issued by the municipality.
- The revenue collected from the charge is then used by a school board to purchase land/school sites for new schools to be built upon.

# Policy Review Public Meeting



**Each EDC by-law has a set of underlying policies which help determine the structure and type of by-law that will be enacted.**

**Provincial legislation dictates that each School Board with an existing EDC by-law must conduct a review of its EDC policies prior to renewing their EDC by-law.**

*Section 257.60 sub-section (1) of the Education Act states that:*

*“Before passing an education development charge by-law, the board shall conduct a review of the education development charge policies of the board.”*

# EDC Policies



- Policy decisions made by the Board can play a key role in determining things like:
  - areas to which the bylaw applies,
  - the ability to have different charges for different types of housing developments, or
  - how much of the eventual charge is to be borne by residential or non-residential development.



## **Percentage of growth-related net education land costs to be borne through EDCs**

- **Exemptions**

School boards typically try to collect 100% of education land costs however exemptions in the EDC bylaws may result in less than 100% of land costs being collected. There are two types of exemptions, statutory and non-statutory. A statutory exemption is determined through the legislation and a non-statutory exemption is a 'voluntary' exemption.





## **Jurisdiction Wide vs. Area Municipal (or Sub Area) Charges**

The existing EDC bylaw applies only to the City of Brantford and Brant County portions of the school board but it is applied in a uniform way (same rate) across the jurisdiction of the bylaw. This means that the charge is the same for all development in the City of Brantford and Brant County.

## **Percentage of net education land costs to be borne by residential and non-residential development**

School boards can allocate up to 40% of their EDC to non-residential development. The average around the Province is approximately 10% but ranges from 0% to the mid-20's. The BHNCDSD has an EDC that is 100% residential.



## **Uniform charges for all types of development vs. differentiated charges**

School boards can have one rate that applies to all types of residential development in the same way (i.e. a low-density single family type home pays the same rate as a townhouse or a condo) or the school board can have a different rates depending on the type of residential development. All the EDC bylaws in Ontario are applied uniformly, like the BHNCDSD.



# **Public Meeting #2**

## **The Proposed**

### **New EDC By-laws**

# What Are The Existing Charges & How Are They Applied?



## Existing EDC:

- 2018 EDC = \$912 per unit
  - Rate frozen from 2013 (new 2018 rate should have been \$1,097 per unit)
- 2021 Amendment (Incorporated New Phase-in + New Land Values)

## New Amended Rates 2021-2023:

- November 28, 2021 to October 20, 2022 = **\$1,212 per unit**
- October 21, 2022 to October 20, 2023 = **\$1,408 per unit (current)**

# A Review Of The Key Elements



Enable  
Recovery Of  
Growth-  
Related Land  
Costs Only

School  
Boards Must  
Meet An  
Eligibility  
Trigger To  
Qualify

Jurisdiction  
Wide Or  
Area  
Specific

Differentiated  
Or Uniform  
Residential/  
Non-  
Residential

# What Does A School Board Have To Do?



**Prepare an  
EDC  
Background  
Study**

**EDC Study  
Must Be  
Available To  
Public At  
Least 2 Weeks  
Before 1<sup>st</sup> Mtg.**

**Two Public  
Meetings  
Must Be  
Held Prior  
To Passing  
A New EDC**

**EDC  
Background  
Study Must Be  
Approved By  
Minister of  
Education**

**Notice Of Public Meetings Must Be Provided At Least 20 Days Prior To Said Meetings**



# The Calculation

1. Demographics and enrolment projections determine need.
2. Legislation and Board planning determines the number of school sites required.
3. Land appraisals determine site acquisition costs.
4. Historical expenditures determine site preparation costs.
5. The reserve fund analysis determines existing EDC surplus or deficit.
6. The total costs determined are referred to as the total growth-related net education land costs – this is the amount for which EDC's are collected.
7. Board policies determine how the charge is implemented and collected (exemptions, non-residential allocation etc.)

# Projected Enrolment



## A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL

Elementary Panel	Projected Elementary Panel Enrolment						Elementary
	Year 1	Year 2	Year 3	Year 4	Year 5	Average Projected Enrolment	Average Projected Enrolment
Board-Wide	2023/	2024/	2025/	2026/	2027/	Enrolment	Enrolment
EDC Capacity	2024	2025	2026	2027	2028	Over Five Years	less Capacity
	7,990	8,271	8,556	8,797	9,074	8,537	781

Estimated EDC Reserve  
Fund Balance: \$5,837,150

## A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL

Secondary Panel	Projected Secondary Panel Enrolment						Secondary
	Year 1	Year 2	Year 3	Year 4	Year 5	Average Projected Enrolment	Projected Enrolment
Board-Wide	2023/	2024/	2025/	2026/	2027/	Enrolment	Enrolment
EDC Capacity	2024	2025	2026	2027	2028	Over Five Years	less Capacity
	4,272	4,298	4,354	4,512	4,661	4,419	1,017



# The Residential Growth Forecast: 15 Years



City of Brantford and Brant County Residential Forecast, 2023-2037

Unit Type	# of Units	% By Density
Low Density (Singles/Semis)	9,172	<b>53%</b>
Medium Density (Townhouses)	4,604	<b>27%</b>
High Density (Apartments)	3,353	<b>20%</b>
<b>Total</b>	<b>17,129</b>	<b>100%</b>

Source: 2023 Brant County MCR – Brant County (excludes the City of Brantford) and 2021 City of Brantford DC.

- ❖ Projected units are adjusted for statutory exemptions.  
Net new units are 16,906

# Net Growth-Related New Pupil Places



Municipality	Dwelling Unit Type	Net New Units	Elementary Pupil Yield	Elementary Growth-Related Pupils	Municipality	Dwelling Unit Type	Net New Units	Secondary Pupil Yield	Secondary Growth-Related Pupils
Brantford	Low Density	7,462	0.200	1,495	BRANTFORD/BRANT	Low Density	9,172	0.083	761
	Medium Density	3,888	0.101	395		Medium Density	4,381	0.051	225
	High Density	2,706	0.031	83		High Density	3,353	0.015	50
	<b>Total</b>	<b>14,056</b>	<b>0.140</b>	<b>1,972</b>		<b>Total</b>	<b>16,906</b>	<b>0.061</b>	<b>1,035</b>
Brant County	Low Density	1,710	0.152	260					
	Medium Density	493	0.090	44					
	High Density	648	0.028	18					
	<b>Total</b>	<b>2,850</b>	<b>0.113</b>	<b>322</b>					
		<b>SUBTOTAL:</b>		<b>2,295</b>			<b>SUBTOTAL:</b>		<b>1,035</b>
		<b>LESS: Available Pupil Places:</b>		<b>198</b>			<b>LESS: Available Pupil Places:</b>		<b>-</b>
		<b>NET GROWTH RELATED PUPILS:</b>		<b>2,097</b>			<b>NET GROWTH RELATED PUPILS:</b>		<b>1,110</b>

# Legislated EDC Eligible Site Sizes



<b>Elementary schools</b>	
<b>Number of Pupils</b>	<b>Maximum Area (acres)</b>
<b>1 to 400</b>	<b>4</b>
<b>401 to 500</b>	<b>5</b>
<b>501 to 600</b>	<b>6</b>
<b>601 to 700</b>	<b>7</b>
<b>701 or more</b>	<b>8</b>

<b>Secondary schools</b>	
<b>Number of Pupils</b>	<b>Maximum Area (acres)</b>
<b>1 to 1000</b>	<b>12</b>
<b>1001 to 1100</b>	<b>13</b>
<b>1101 to 1200</b>	<b>14</b>
<b>1201 to 1300</b>	<b>15</b>
<b>1301 to 1400</b>	<b>16</b>
<b>1401 to 1500</b>	<b>17</b>
<b>1501 or more</b>	<b>18</b>



# Appraised Land Values

The school boards retained Cushman & Wakefield Ltd. to provide appraised land values per acre for different areas in the bylaw area (i.e. City of Brantford/Brant County). The appraisals are based on 2023 land values are based on recent land sales and other economic factors. Values ranged between \$1.22M-\$1.29M per acre.

- In 2018 land values ranged between \$0.55M-\$0.6M per acre and in 2021 values averaged approximately \$0.75M per acre.

EXAMPLE OF ELEMENTARY EDC SITES AND PER ACRE COSTS BY AREA

<b>Site Location/ Facility Type</b>	<b>Cost Per Acre</b>
<b>New Elementary School North Brantford</b>	<b>\$ 1,223,000</b>
<b>New Elementary School SW Brantford</b>	<b>\$ 1,294,000</b>
<b>New Elementary School SW Brantford</b>	<b>\$ 1,263,000</b>
<b>New Elementary School Paris</b>	<b>\$ 1,219,000</b>

# Proposed Education Development Charge: 2023 Bylaw



## Calculation of Uniform Residential Charge

<b>Residential Growth-Related Net Education Land Costs</b>	<b>\$ 46,485,674</b>
<b>Net New Dwelling Units</b>	<b>16,906</b>
<b>Uniform Residential EDC per Dwelling Unit</b>	<b>\$ 2,750</b>

# EDC Legislative Changes – A Summary



On October 12, 2018, the Provincial government made a change to the legislation that pertains to education development charges;

- ❖ Ontario Regulation 438/18 amended Ontario Regulation 20/98 and namely;
- ❖ **Maintained EDC rates at the levels in existing EDC by-laws as of August 31, 2018**
- ❖ Limited the ability of school boards to change the areas in their by-law that are subject to EDCs

On March 29, 2019 the Ontario Government further amended the EDC legislation.

- ❖ Ontario Regulation 55/19 amended Ontario Regulation 20/98.
- ❖ **O. Reg 55/19, lifted the EDC rate freeze by implementing a provisional phase-in of proposed EDC rates.**

# Phased In EDC Rates



- **In year 1**, the existing EDC rate could be increased by **\$300 or 5%** of the **existing residential EDC rate**, whichever is greater. The non-residential rate can similarly be increased by **\$0.10 or 5%** of the **existing non-residential EDC rate**;
- In the **second year** of the by-law and in **each subsequent year**, the rate could be increased by **another \$300 or 5%** of the previous year's residential EDC rate, whichever is greater. Again, the non-residential rate can also be increased by another **\$0.10 or 5%** of the previous year's non-residential EDC rate.
- Both the residential and non-residential rates are subject to **maximum rates**, which are the **proposed EDC rates** in the EDC Background Study.

# Proposed Phase-In Of EDC Rates



Type of Development	Current 2023 EDC Rate	Year 1	Year 2	Year 3	Year 4	Year 5	MAXIMUM RATE
Residential	\$ 1,408	\$ 1,708	\$ 2,008	\$ 2,308	\$ 2,608	\$ 2,750	\$ 2,750



# The Public Process



- 2 Public Meetings (Notice Given)
- EDC Background Study Released To The Public & Submitted To Ministry Of Education For Review/Approval
- The Board corresponded with stakeholders and had a stakeholder meeting.
- The Boards encourage additional and continued feedback from area stakeholders.



# Next Steps & Important Dates



- Ongoing discussions with the Ministry of Education regarding approvals.
- Continued dialogue with stakeholders as required.
- Staff recommendations and reports.
- EDC Bylaw Passage Consideration Public Meeting: October 10, 2023 @ 3PM (Board offices)

QUESTIONS?



**Special Meeting of the Board  
Education Development Charge Successor By-Law Public Meeting  
Monday September 18, 2023 ♦ 3:15 p.m.  
Boardroom**

**Trustees:**

**Members:** Rick Petrella (Chair), Carol Luciani (Vice-Chair), Dennis Blake, Bill Chopp, Dan Dignard, Mark Watson

**Senior Administration:**

Michael McDonald (Director of Education & Secretary), Scott Keys (Superintendent of Business & Treasurer), Kevin Greco, Lorrie Temple, Phil Wilson (Superintendents of Education)

---

**1. Opening Business**

**1.1 Opening Prayer**

*Almighty God, bless us as we gather today for this meeting. Guide our minds and hearts so that we will work for the good of our community and be a help to all people. Teach us to be generous in our outlook, courageous in the face of difficulty, and wise in our decisions. We give you praise and glory, Lord our God, for ever and ever. Amen*

**1.2 Attendance**

**1.3 Approval of the Agenda**

Page 1

**1.4 Declaration of Interest**

**2. Delegations**

**3. Committee and Staff Reports**

**3.1 Education Development Charge Successor By-Law**  
Presenter: Scott Keys, Superintendent of Business & Treasurer  
Jack Amendolia, Partner, Watson & Associates  
Brad Teichman, Overland LLP

Pages 2-149

**4. Closing Prayer**

*Heavenly Father, we thank you for your gifts to us: for making us, for saving us in Christ, for calling us to be your people. As we come to the end of this meeting, we give you thanks for all the good things you have done in us. We thank you for all who have shared in the work of this Board and ask you to bless us all in your love. We offer this prayer, Father, through Christ our Lord. Amen*

**5. Adjournment**

---

**REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC  
DISTRICT SCHOOL BOARD**

Prepared by: Scott Keys, Superintendent of Business & Treasurer  
Presented to: Board of Trustees  
Submitted on: September 18, 2023  
Submitted by: Mike McDonald, Director of Education & Secretary

**EDUCATION DEVELOPMENT CHARGE  
SUCCESSOR BY-LAW**

Public Session

---

---

**BACKGROUND INFORMATION:**

The Board is in the process of replacing its current Education Development Charge By-law. Ontario Regulation 20/98, made under the Education Act, governs various aspects of Education Development Charges (EDC). The purpose of this meeting and report is to provide the Board with an overview of the process and methodology leading to the proposed EDC by-law.

**DEVELOPMENTS:**

- Refer to **Appendix A** the Board presentation on the Proposed New EDC By-Law Public Meeting #2.
- Refer to **Appendix B** for the Education Development Charge Background Study
- Refer to **Appendix C** for the proposed EDC By-Law under consideration.

The report and presentation are for the information of the Board. A public meeting will be held on October 10, 2023 to give final consideration to the passage of the EDC By-law.

**RECOMMENDATION:**

THAT the Brant Haldimand Norfolk Catholic District School Board receive the Education Development Charge Successor By-Law report for information.



# Education Development Charges Public Meeting

---

Brant Haldimand Norfolk Catholic District School Board

September 18, 2023

Page 3 of 149



# Public Meeting #1 EDC Policy Review

# What Is An Education Development Charge?



- An Education Development Charge is a development charge that is imposed under a bylaw respecting growth-related net education land costs incurred or proposed to be incurred by a School Board.
- This means it is a charge that is levied on new development that is paid by the developer/permit taker when the building permit is issued by the municipality.
- The revenue collected from the charge is then used by a school board to purchase land/school sites for new schools to be built upon.



# Policy Review Public Meeting



**Each EDC by-law has a set of underlying policies which help determine the structure and type of by-law that will be enacted.**

**Provincial legislation dictates that each School Board with an existing EDC by-law must conduct a review of its EDC policies prior to renewing their EDC by-law.**

*Section 257.60 sub-section (1) of the Education Act states that:*

*“Before passing an education development charge by-law, the board shall conduct a review of the education development charge policies of the board.”*

# EDC Policies



- Policy decisions made by the Board can play a key role in determining things like:
  - areas to which the bylaw applies,
  - the ability to have different charges for different types of housing developments, or
  - how much of the eventual charge is to be borne by residential or non-residential development.



## **Percentage of growth-related net education land costs to be borne through EDCs**

- **Exemptions**

School boards typically try to collect 100% of education land costs however exemptions in the EDC bylaws may result in less than 100% of land costs being collected. There are two types of exemptions, statutory and non-statutory. A statutory exemption is determined through the legislation and a non-statutory exemption is a 'voluntary' exemption.



## **Jurisdiction Wide vs. Area Municipal (or Sub Area) Charges**

The existing EDC bylaw applies only to the City of Brantford and Brant County portions of the school board but it is applied in a uniform way (same rate) across the jurisdiction of the bylaw. This means that the charge is the same for all development in the City of Brantford and Brant County.

## **Percentage of net education land costs to be borne by residential and non-residential development**

School boards can allocate up to 40% of their EDC to non-residential development. The average around the Province is approximately 10% but ranges from 0% to the mid-20's. The BHNCD SB has an EDC that is 100% residential.



## **Uniform charges for all types of development vs. differentiated charges**

School boards can have one rate that applies to all types of residential development in the same way (i.e. a low-density single family type home pays the same rate as a townhouse or a condo) or the school board can have a different rates depending on the type of residential development. All the EDC bylaws in Ontario are applied uniformly, like the BHNCDSD.



# **Public Meeting #2**

## **The Proposed**

### **New EDC By-laws**

# What Are The Existing Charges & How Are They Applied?



## Existing EDC:

- 2018 EDC = \$912 per unit
  - Rate frozen from 2013 (new 2018 rate should have been \$1,097 per unit)
- 2021 Amendment (Incorporated New Phase-in + New Land Values)

## New Amended Rates 2021-2023:

- November 28, 2021 to October 20, 2022 = **\$1,212 per unit**
- October 21, 2022 to October 20, 2023 = **\$1,408 per unit (current)**

# A Review Of The Key Elements



Enable  
Recovery Of  
Growth-  
Related Land  
Costs Only

School  
Boards Must  
Meet An  
Eligibility  
Trigger To  
Qualify

Jurisdiction  
Wide Or  
Area  
Specific

Differentiated  
Or Uniform  
Residential/  
Non-  
Residential



# What Does A School Board Have To Do?



Prepare an  
EDC  
Background  
Study

EDC Study  
Must Be  
Available To  
Public At  
Least 2 Weeks  
Before 1<sup>st</sup> Mtg.

Two Public  
Meetings  
Must Be  
Held Prior  
To Passing  
A New EDC

EDC  
Background  
Study Must Be  
Approved By  
Minister of  
Education

**Notice Of Public Meetings Must Be Provided At Least 20 Days Prior To Said Meetings**



# The Calculation

1. Demographics and enrolment projections determine need.
2. Legislation and Board planning determines the number of school sites required.
3. Land appraisals determine site acquisition costs.
4. Historical expenditures determine site preparation costs.
5. The reserve fund analysis determines existing EDC surplus or deficit.
6. The total costs determined are referred to as the total growth-related net education land costs – this is the amount for which EDC's are collected.
7. Board policies determine how the charge is implemented and collected (exemptions, non-residential allocation etc.)

# Projected Enrolment



**A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL**

Elementary Panel	Projected Elementary Panel Enrolment						Elementary
	Year 1	Year 2	Year 3	Year 4	Year 5	Average Projected Enrolment	Average Projected Enrolment
Board-Wide	2023/	2024/	2025/	2026/	2027/	Enrolment	Enrolment
EDC Capacity	2024	2025	2026	2027	2028	Over Five Years	less Capacity
	7,756.0	7,990	8,271	8,556	8,797	9,074	8,537
							781

Estimated EDC Reserve Fund Balance: \$5,837,150

**A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL**

Secondary Panel	Projected Secondary Panel Enrolment						Secondary
	Year 1	Year 2	Year 3	Year 4	Year 5	Average Projected Enrolment	Secondary Projected Enrolment
Board-Wide	2023/	2024/	2025/	2026/	2027/	Enrolment	Enrolment
EDC Capacity	2024	2025	2026	2027	2028	Over Five Years	less Capacity
	3,402.0	4,272	4,298	4,354	4,512	4,661	4,419
							1,017

# The Residential Growth Forecast: 15 Years



City of Brantford and Brant County Residential Forecast, 2023-2037

Unit Type	# of Units	% By Density
Low Density (Singles/Semis)	9,172	<b>53%</b>
Medium Density (Townhouses)	4,604	<b>27%</b>
High Density (Apartments)	3,353	<b>20%</b>
<b>Total</b>	<b>17,129</b>	<b>100%</b>

Source: 2023 Brant County MCR – Brant County (excludes the City of Brantford) and 2021 City of Brantford DC.

- ❖ Projected units are adjusted for statutory exemptions.  
Net new units are 16,906

# Net Growth-Related New Pupil Places



Municipality	Dwelling Unit Type	Net New Units	Elementary Pupil Yield	Elementary Growth-Related Pupils	Municipality	Dwelling Unit Type	Net New Units	Secondary Pupil Yield	Secondary Growth-Related Pupils
Brantford	Low Density	7,462	0.200	1,495	BRANTFORD/BRANT	Low Density	9,172	0.083	761
	Medium Density	3,888	0.101	395		Medium Density	4,381	0.051	225
	High Density	2,706	0.031	83		High Density	3,353	0.015	50
	<b>Total</b>	<b>14,056</b>	<b>0.140</b>	<b>1,972</b>		<b>Total</b>	<b>16,906</b>	<b>0.061</b>	<b>1,035</b>
Brant County	Low Density	1,710	0.152	260					
	Medium Density	493	0.090	44					
	High Density	648	0.028	18					
	<b>Total</b>	<b>2,850</b>	<b>0.113</b>	<b>322</b>					
		<b>SUBTOTAL:</b>		<b>2,295</b>			<b>SUBTOTAL:</b>		<b>1,035</b>
		<b>LESS: Available Pupil Places:</b>		<b>198</b>			<b>LESS: Available Pupil Places:</b>		<b>-</b>
		<b>NET GROWTH RELATED PUPILS:</b>		<b>2,097</b>			<b>NET GROWTH RELATED PUPILS:</b>		<b>1,110</b>

# Legislated EDC Eligible Site Sizes



<b>Elementary schools</b>	
<b>Number of Pupils</b>	<b>Maximum Area (acres)</b>
<b>1 to 400</b>	<b>4</b>
<b>401 to 500</b>	<b>5</b>
<b>501 to 600</b>	<b>6</b>
<b>601 to 700</b>	<b>7</b>
<b>701 or more</b>	<b>8</b>

<b>Secondary schools</b>	
<b>Number of Pupils</b>	<b>Maximum Area (acres)</b>
<b>1 to 1000</b>	<b>12</b>
<b>1001 to 1100</b>	<b>13</b>
<b>1101 to 1200</b>	<b>14</b>
<b>1201 to 1300</b>	<b>15</b>
<b>1301 to 1400</b>	<b>16</b>
<b>1401 to 1500</b>	<b>17</b>
<b>1501 or more</b>	<b>18</b>



# Appraised Land Values

The school boards retained Cushman & Wakefield Ltd. to provide appraised land values per acre for different areas in the bylaw area (i.e. City of Brantford/Brant County). The appraisals are based on 2023 land values are based on recent land sales and other economic factors. Values ranged between \$1.22M-\$1.29M per acre.

- In 2018 land values ranged between \$0.55M-\$0.6M per acre and in 2021 values averaged approximately \$0.75M per acre.

EXAMPLE OF ELEMENTARY EDC SITES AND PER ACRE COSTS BY AREA

<b>Site Location/ Facility Type</b>	<b>Cost Per Acre</b>
<b>New Elementary School North Brantford</b>	<b>\$ 1,223,000</b>
<b>New Elementary School SW Brantford</b>	<b>\$ 1,294,000</b>
<b>New Elementary School SW Brantford</b>	<b>\$ 1,263,000</b>
<b>New Elementary School Paris</b>	<b>\$ 1,219,000</b>

# Proposed Education Development Charge: 2023 Bylaw



## Calculation of Uniform Residential Charge

<b>Residential Growth-Related Net Education Land Costs</b>	<b>\$ 46,485,674</b>
<b>Net New Dwelling Units</b>	<b>16,906</b>
<b>Uniform Residential EDC per Dwelling Unit</b>	<b>\$ 2,750</b>



# EDC Legislative Changes – A Summary



On October 12, 2018, the Provincial government made a change to the legislation that pertains to education development charges;

- ❖ Ontario Regulation 438/18 amended Ontario Regulation 20/98 and namely;
- ❖ **Maintained EDC rates at the levels in existing EDC by-laws as of August 31, 2018**
- ❖ Limited the ability of school boards to change the areas in their by-law that are subject to EDCs

On March 29, 2019 the Ontario Government further amended the EDC legislation.

- ❖ Ontario Regulation 55/19 amended Ontario Regulation 20/98.
- ❖ **O. Reg 55/19, lifted the EDC rate freeze by implementing a provisional phase-in of proposed EDC rates.**

# Phased In EDC Rates



- **In year 1**, the existing EDC rate could be increased by **\$300 or 5%** of the **existing residential EDC rate**, whichever is greater. The non-residential rate can similarly be increased by **\$0.10 or 5%** of the **existing non-residential EDC rate**;
- In the **second year** of the by-law and in **each subsequent year**, the rate could be increased by **another \$300 or 5%** of the previous year's residential EDC rate, whichever is greater. Again, the non-residential rate can also be increased by another **\$0.10 or 5%** of the previous year's non-residential EDC rate.
- Both the residential and non-residential rates are subject to **maximum rates**, which are the **proposed EDC rates** in the EDC Background Study.

# Proposed Phase-In Of EDC Rates



Type of Development	Current 2023 EDC Rate	Year 1	Year 2	Year 3	Year 4	Year 5	MAXIMUM RATE
Residential	\$ 1,408	\$ 1,708	\$ 2,008	\$ 2,308	\$ 2,608	\$ 2,750	\$ 2,750

# The Public Process



- 2 Public Meetings (Notice Given)
- EDC Background Study Released To The Public & Submitted To Ministry Of Education For Review/Approval
- The Board corresponded with stakeholders and had a stakeholder meeting.
- The Boards encourage additional and continued feedback from area stakeholders.



# Next Steps & Important Dates



- Ongoing discussions with the Ministry of Education regarding approvals.
- Continued dialogue with stakeholders as required.
- Staff recommendations and reports.
- EDC Bylaw Passage Consideration Public Meeting: October 10, 2023 @ 3PM (Board offices)

QUESTIONS?



# Education Development Charges Background Study and Review of Education Development Charges Policies for: Brant Haldimand Norfolk Catholic District School Board

The County of Brant and City of Brantford

---

## PUBLIC REPORT

August 28, 2023

Watson & Associates Economists Ltd.  
905-272-3600  
[info@watsonecon.ca](mailto:info@watsonecon.ca)



# Table of Contents

	Page
<b>Executive Summary .....</b>	<b>i</b>
<b>1. Introduction.....</b>	<b>1-1</b>
1.1 Background.....	1-1
1.2 Existing By-laws.....	1-2
1.3 Area in Which By-law May Apply .....	1-3
1.4 EDC Review Areas .....	1-4
<b>2. The EDC By-law .....</b>	<b>2-1</b>
2.1 Imposition of an EDC.....	2-1
2.2 The Background Study .....	2-2
2.3 Public Meetings .....	2-3
2.4 Appeals and Amendments.....	2-8
<b>3. The Process and Methodology of Calculating an Education Development Charge.....</b>	<b>3-1</b>
3.1 Eligibility.....	3-1
3.2 Demographic Projections.....	3-5
3.3 Growth-related Net Education Land Costs.....	3-8
3.4 Determination of the Charge.....	3-10
<b>4. Demographic Projections .....</b>	<b>4-1</b>
4.1 The Residential & Non-Residential Growth Forecast.....	4-1
4.1.1 Residential .....	4-1
4.1.2 Non-residential.....	4-6
4.2 Enrolment Projections.....	4-7
4.3 Summary of Projected Enrolment .....	4-19





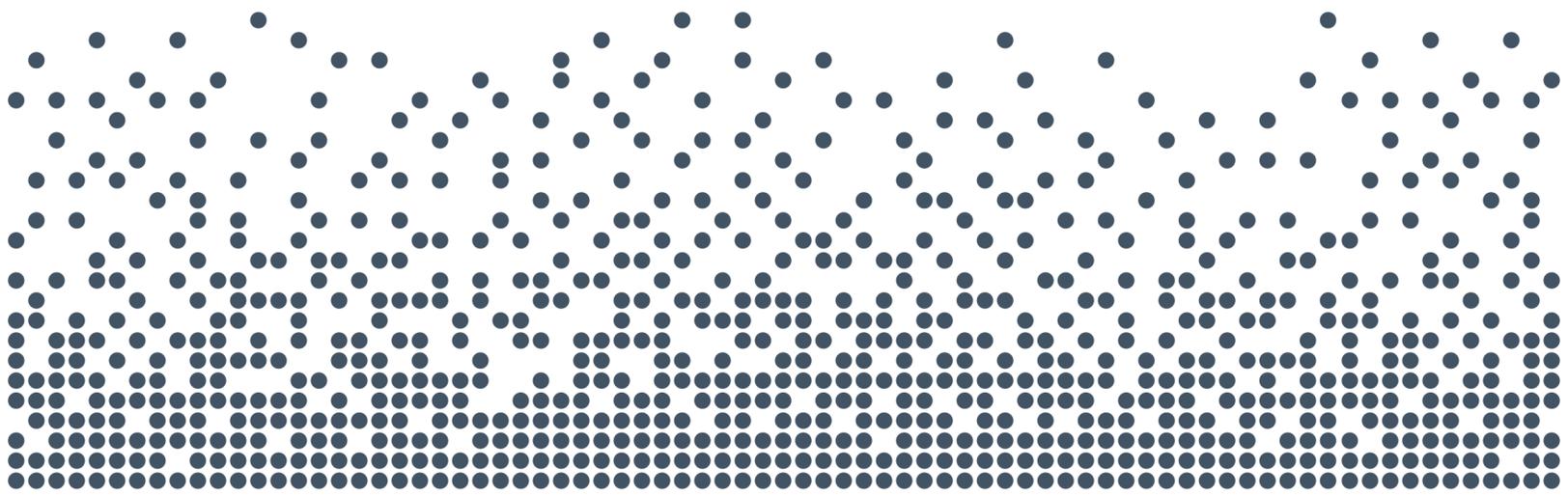
# Table of Contents (Cont'd)

	Page
<b>5. Education Development Charge Calculation .....</b>	<b>5-1</b>
5.1 The Projections.....	5-1
5.2 Net Education Land Costs .....	5-4
5.3 Reconciliation of the EDC Reserve Fund.....	5-8
5.4 The Education Development Charge.....	5-9
<b>Appendix A Education Development Charges Ministry of Education Forms Submission .....</b>	<b>A1</b>
<b>Appendix B DRAFT By-Law.....</b>	<b>A2</b>



## List of Acronyms and Abbreviations

<b>Acronym</b>	<b>Full Description of Acronym</b>
BHNCDSB	Brant Haldimand Norfolk Catholic District School Board
EDC	Education Development Charge
GEDSB	Grand Erie District School Board
GFA	Gross Floor Area
GSR	Grade Structure Ratio
LPAT	Local Planning Appeal Tribunal
OMB	Ontario Municipal Board
O. Reg.	Ontario Regulation
OTG	On the Ground (Capacity)



# Executive Summary



# Executive Summary

The Brant Haldimand Norfolk Catholic District School Board (BHNCD SB) has an education development charge (EDC) by-law in place in the County of Brant and City of Brantford that is set to expire on October 20 of 2023. EDCs are a revenue source, for school boards that qualify, to purchase and develop land for new schools. EDCs are meant as a funding mechanism for boards that are experiencing a growth-related accommodation need in their jurisdiction. In order to renew their by-laws each Board must follow certain processes and guidelines as required by provincial legislation. This background study fulfills certain requirements while providing the information necessary to understand and determine the EDC.

The general authority for school boards to impose EDCs is provided by Division E of Part IX for the *Education Act*. Ontario Regulation 20/98, as amended, provides the requirements necessary to determine an EDC. In addition, the Ministry has published a set of guidelines (Education Development Charge and Site Acquisition Guidelines) to assist boards with the EDC process.

## **Before an EDC by-law can be passed, school boards must ensure that they:**

- Demonstrate that their elementary and/or secondary enrolment on a jurisdiction-wide basis is greater than the elementary and/or secondary approved OTG capacity or that their EDC reserve fund is in a deficit position.
- Prepare a background study meeting the requirements of the legislation.
- Hold required legislated public meetings.
- Receive written Ministry approval of the projected number of students and school sites.

The BHNCD SB is eligible to renew their existing by-law on the basis of:

1. **Reserve Fund Qualification** – The BHNCD SB has an estimated deficit in their EDC reserve fund and the Board has outstanding EDC financial obligations; and
2. **Capacity Trigger** – The Board have an average 5-year projected enrolment exceeding the approved OTG capacity, on both the elementary and secondary panels.



**The Board intends to hold separate statutory public meetings to inform the public as to the new proposed EDC by-law. BHNCD SB will hold meetings on September 18, 2023, and then consider passage of the EDC by-law at an additional meeting on October 10, 2023. Further details will be provided in the Board’s public meeting notices.**

The EDC analysis in this background study has been completed for the BHNCD SB. This EDC study contemplates a region-wide by-law which relates to the County of Brant and the City of Brantford. As such, each defined region in a board’s jurisdiction must have a separate EDC by-law. In this case, the existing EDC by-law as well as the proposed EDC by-law applies uniformly across the County of Brant and the City of Brantford.

Demographic projections form an important component of the EDC analysis. The residential dwelling unit forecast is used both to project pupils from new development and to determine the final quantum of the residential charge. The residential forecasts used in this analysis are consistent with the most recent County and City forecasts that were available at the time of study preparation. The total number of net new units projected across the County of Brant and the City of Brantford for the 15 years in the EDC analysis total **16,906**. The total Net Estimated Non-Residential Board-Determined Gross Floor Area to be Constructed Over 15 Years from Date of By-Law Passage is **13,422,806 Sq.Ft.**

The number of growth-related pupils is based on the aforementioned residential forecast and pupil yields that have been derived from Statistics Canada custom tabulated data and historical board enrolment information. Pupil yields are mathematical representations of the number of school-aged children that will be generated by particular dwellings. The total growth-related pupils must be offset by any available pupil places that are not required by existing pupils of the Board. These calculations were done for the Board on a review area basis to determine the total net growth-related pupil places.

The analysis projects a total of **2,097** elementary net growth-related pupils and **1,110** secondary net growth-related pupils for the BHNCD SB in the County of Brant and the City of Brantford.



Once the net growth-related pupil place requirements have been determined, it is necessary for boards to decide the number of new schools that will be built to accommodate that need. The EDC legislation provides a table that relates pupil place requirements to school site sizes. The table, as well as a description and methodology, is provided in the background study. The study also provides information on the approximate timing, size, and location of the proposed new schools/sites.

The EDC analysis for the County of Brant and City of Brantford projects that the BHNCD SB will require approximately **4 new elementary sites** (1 in Brantford North, 2 in Brantford Southwest, and 1 in Southwest Paris and Brant County [Less the City of Brantford]) and **1 new secondary site** (1 in Brantford) in the 15-year EDC time frame.

One of the final steps of the EDC process involves translating the land requirements to actual land costs. Site acquisition costs are based on appraisals completed by the firm Cushman & Wakefield. The per acre acquisition values ranged from **\$1,219,000 to \$1,294,000** for sites in the County of Brant and City of Brantford. As with many areas in Ontario, the cost to acquire land has been increasing rapidly across the jurisdiction. The acquisition costs have been escalated for a period of five years (the by-law term) at a rate of **2.0%** for each consecutive year until the end of the by-law term.

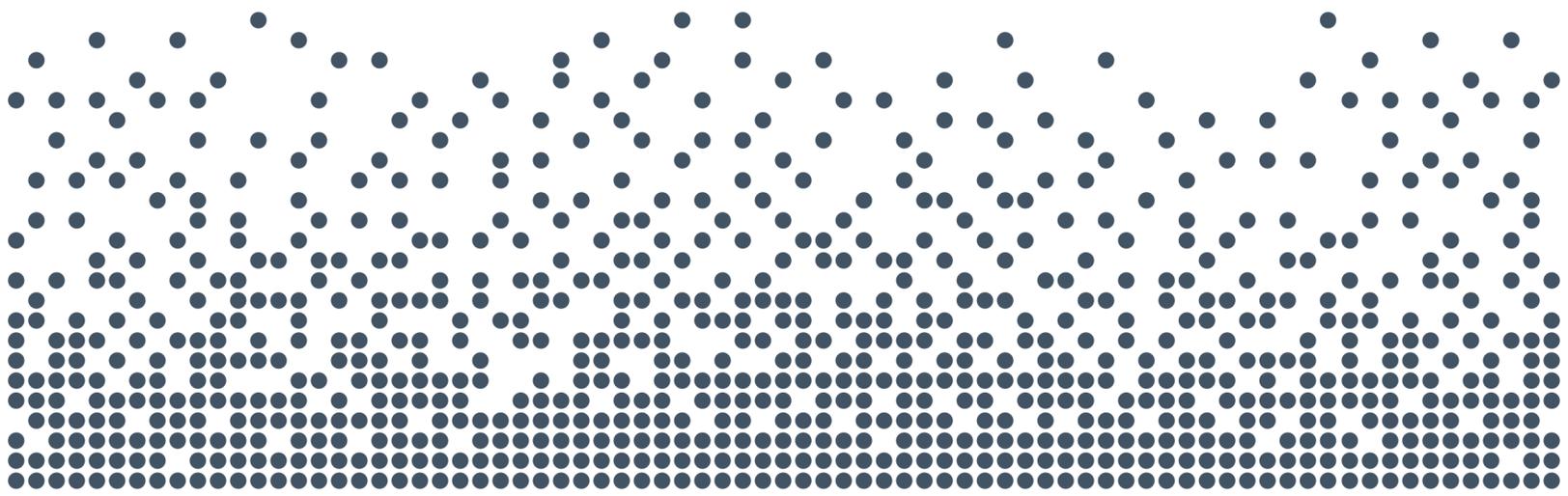
The costs to prepare and develop the site for school construction are also EDC-eligible costs. The assumed site preparation costs are estimated at **\$42,750** per acre for the BHNCD SB in this study. Site preparation costs are escalated to the time of site purchase at a rate of **4.3%** per year.

The total land costs (acquisition and servicing costs) as well as study costs must be added to any outstanding financial obligations incurred by the board under a previous EDC by-law to determine the final net education land costs. A deficit balance in the existing EDC reserve fund is considered to be an outstanding obligation and must be added to the existing land costs. If a board has a surplus balance in the EDC reserve fund, this amount must be subtracted from the land costs and used to defray the net education land costs.

The BHNCD SB's total net education land costs for the County of Brant and City of Brantford are estimated to be **\$46,485,674** which includes an existing EDC reserve fund surplus of **\$5,837,150** that was removed from the total EDC eligible costs.



On the basis of the aforementioned net education land costs, and net new unit forecasts, the analysis resulted in a proposed EDC rate of **\$2,750 per dwelling unit**, uniform for all types of residential development for the BHCNDSB's residential charge in the County of Brant and City of Brantford. The charges contained herein are based on a uniform rate for all types of development. For the Board, 100% of costs are allocated to residential development within the County of Brant and City of Brantford.



# Report





# Chapter 1

## Introduction



# 1. Introduction

## 1.1 Background

---

Education development charges (EDCs) are a revenue source, for school boards that qualify, to purchase and develop land for new schools. EDCs are meant as a funding mechanism for boards that are experiencing a growth-related accommodation need in their jurisdiction. To qualify for EDCs, it is necessary for school boards to meet certain qualification criteria.

School boards can no longer implement property taxes to fund education costs and now rely on a system of per pupil grants established by the Ministry of Education. The grants are set out to cover expenses such as teacher salaries, textbooks, heating of schools, renewing schools, building schools, etc. EDCs are meant to fund the acquisition and development of growth-related school sites outside this grant envelope. EDCs are based on a formulaic approach that looks at three main areas – enrolment projections to determine need, the number of school sites necessary to meet need, and the costs related to the purchase and development of those school sites.

The EDC may be levied by a school board on both residential and non-residential developments, subject to certain exemptions which are outlined in the legislation. Division E of Part IX of the *Education Act* is the legislation responsible for governing the EDC. Ontario Regulation (O. Reg.) 20/98, as amended, provides guidelines and requirements on the qualification process for a school board as well as the specifics on calculating the charge. The charges are collected at building permit issuance on behalf of the school board by the local area municipality to which the by-law applies.

As mentioned earlier, not all school boards are eligible to implement EDCs due to qualification criteria that must be met. To qualify, there are two criteria that can be met. One trigger is that the board's total projected enrolment for the five-year period following expected by-law passage must exceed the board's Ministry-rated On-The-Ground capacity on **either** the elementary or secondary panel.

The other qualification criteria deals with unmet financial obligations with regard to the purchase and development of growth-related school sites. If the school board has an existing EDC by-law in place and they can demonstrate that there are existing



outstanding financial obligations, the school board will automatically qualify for a subsequent by-law. The *Education Act*, specifically section 257.54, gives school boards the ability to pass EDC by-laws.

“If there is residential development in the area of jurisdiction of a board that would increase education land costs, the board may pass by-laws for the imposition of education development charges against land in its area of jurisdiction undergoing residential or non-residential development.”

School boards are responsible for providing school sites and can do so through such limited revenue sources such as, selling surplus school sites, revenue from leasing sites, entering into joint use agreements with other school boards or public/private partnerships and the imposition of EDCs – thus making EDCs an important and primary revenue source.

## 1.2 Existing By-laws

---

This EDC background study has been prepared on behalf of the Brant Haldimand Norfolk Catholic District School Board (BHNCDNB) in consideration of renewing their EDC by-law within the County of Brant and City of Brantford. The Board’s current in-force by-law came into effect on October 16, 2018 before being amended on November 23, 2021. The Board’s by-law is based on an 100% cost recovery from residential development.

The current EDC rate (Year 5 Rates, Effective October 16, 2022) for the BHNCDNB is \$1,408 per residential dwelling unit.



Table 1-1: Current In-force EDC By-laws for BHNCDSB

School Board	In-force Date	Area of By-law	% Residential/ Non-residential	Charge
BHNCDSB	October 16, 2022 (Amending By-law)	County of Brant City of Brantford	100%(Res.)	\$1,408/Unit

## EDC Policy Review

All school boards with an existing EDC by-law in place must conduct a review of the policies contained in their existing by-laws before passing a new by-law. This process includes a public meeting to review the policies in a public forum.

Section 257.60 subsection (1) of the *Education Act* states that:

“Before passing an education development charge by-law, the board shall conduct a review of the education development charge policies of the board.”

Subsection (2) goes on to state that:

“In conducting a review under subsection (1), the board shall ensure that adequate information is made available to the public, and for this purpose shall hold at least one public meeting, notice of which shall be given in at least one newspaper having general circulation in the area of jurisdiction of the board.”

## 1.3 Area in Which By-law May Apply

---

The legislation states that an EDC by-law may apply to the entire area of the jurisdiction of a board or only part of it. In addition, an EDC by-law of the board shall not apply with respect to land in more than one “region” if the regulations divide the area of the jurisdiction of the board into prescribed regions. This EDC applies to the regions of the County of Brant and City of Brantford for BHNCDSB.

EDC background studies should clearly outline the areas that will be covered by EDC by-laws. Two maps have been included in section 1.4 outlining the County of Brant and



City of Brantford (BHNCDSD), the area to which the EDC by-laws will apply and the respective review areas for the Board and panel.

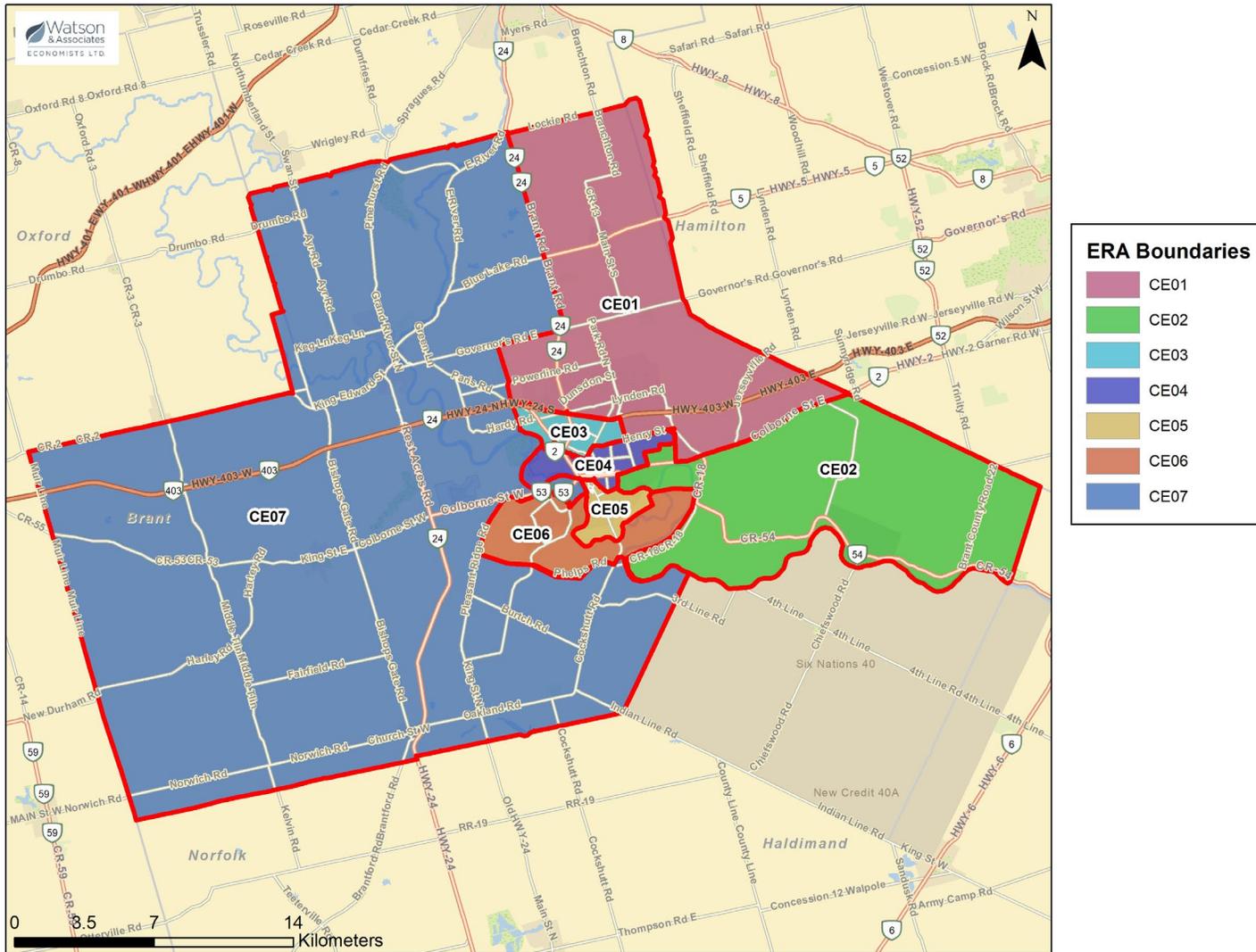
## **1.4 EDC Review Areas**

---

The EDC methodology allows school boards to examine growth-related needs on a jurisdiction-wide basis – that is treat the whole EDC area as one review area – or to examine them on a sub-area basis or review areas. Review areas are artificial constructs intended to divide the board’s jurisdiction into sub-areas in order to more accurately determine the location of new school sites. Board review areas are likely to reflect attendance boundaries for families of schools, natural dividers such as rivers, creeks, etc., or man-made barriers such as major thoroughfares. The Ministry of Education’s EDC Guidelines recommend that review areas are consistent with board review areas used for capital planning purposes and that they try to maintain consistency with review areas of subsequent EDC by-laws.

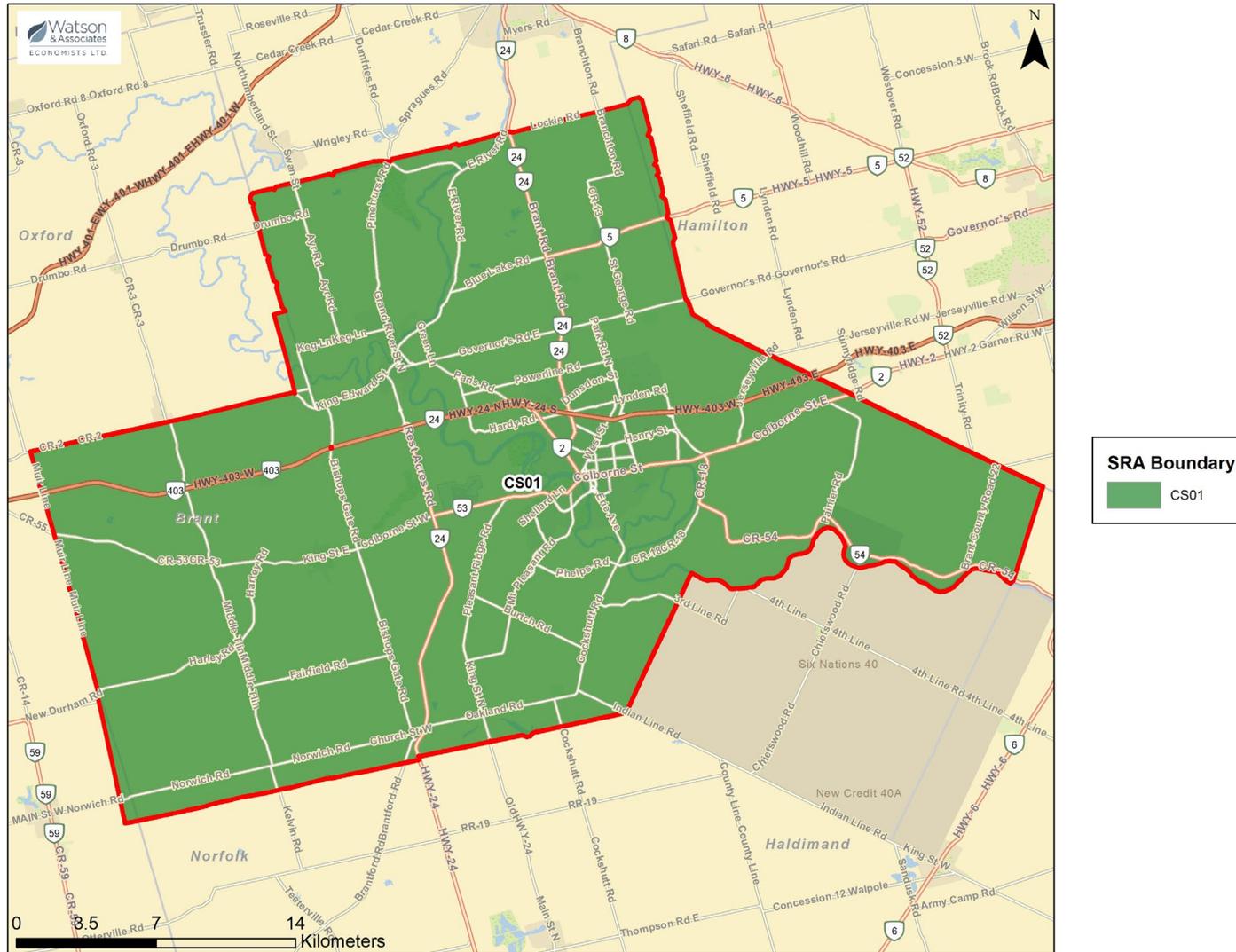


Map 1: BHNCDSE Elementary EDC Review Areas 2023 – the County of Brant and City of Brantford





Map 2: BHNCDSEB Secondary EDC Review Areas 2023 – the County of Brant and City of Brantford





The BHNCDSD's review areas used in this background study are largely consistent with the Board's review areas used in their long-term accommodation plans and previous EDC studies. For the purposes of calculating EDCs, BHNCDSD has been divided into 7 review areas on the elementary panel, with 1 corresponding secondary review area.

Table 1.2: BHNCDSD Review Areas – the County of Brant and City of Brantford

Elementary Review Area		Secondary Review Area	
Name	Region	Name	Region
CE01	Brantford North	CS01	Brantford/Brant County
CE02	Brantford Garden Avenue		
CE03	Brantford Downtown North		
CE04	Brantford Downtown South		
CE05	Brantford Eagle Place		
CE06	Brantford Southwest		
CE07	Southwest Paris and Brant County (Less the City of Brantford)		

The EDC, when calculated on a review area basis, assumes that the combined OTG capacity of the existing facilities located within the review area is considered to be the total available capacity. Determining board needs on a review area basis is premised on the following:

- Available space is determined by subtracting the year 15 existing community enrolment number from the current OTG capacity figure;
- Pupils that are generated from new development must fill any available surplus OTG capacity first; and
- Pupils generated from new development above and beyond those that fill any available surplus space within the review area, are net growth-related pupil place requirements and can potentially be funded through EDCs.

The review area approach to calculating EDCs has been undertaken by the Board and is largely consistent with the way in which future capital needs will be assessed over the long term.





# Chapter 2

## The EDC By-law



## 2. The EDC By-law

### 2.1 Imposition of an EDC

---

The passage of an EDC by-law gives school boards the authority to impose and collect EDCs for the purpose of acquiring and developing growth-related school sites. Each by-law has a maximum term of five years and must be passed within one year of the EDC background study completion. Before a school board can proceed with an EDC by-law, it must receive confirmation in writing from the Ministry of Education acknowledging receipt of the background study and approving estimates of enrolment projections and future site needs contained in the background study.

Section 10 of O. Reg. 20/98 sets out the conditions that must be satisfied in order for a board to pass an EDC by-law:

- The Minister has approved the board's estimates of the total number of elementary and secondary pupils over each of the 15 years of the forecast period;
- The Minister has approved the board's estimates of the number of elementary and secondary school sites used by the board to determine the net education land costs;
- The board has demonstrated that the average elementary or secondary enrolment within its jurisdiction exceeds the board's elementary or secondary capacity; or the board's current EDC financial obligations exceed revenues reported in the EDC reserve fund;
- The board has prepared a background study and given a copy of the EDC background study relating to the by-law to the Minister and the board having jurisdiction within the area to which the by-law would apply;
- The area (i.e. the County of Brant and City of Brantford) to which the board proposes the EDC by-law is enforced and charges are imposed, is the same area that was subject to the EDC charge by-law in force on October 16, 2018 (amended November 23, 2021); and
- The board provides any information regarding the calculation of the EDC if requested by the Minister upon the review of the background study.



## 2.2 The Background Study

---

An EDC background study must be completed by a school board that wishes to pass an EDC by-law. The intention of the background study is to provide information on the process and methodology of calculating an EDC, as well as the background and assumptions that make up the estimates of the enrolment projections and site needs.

Section 257.61 (1) of the Act requires that “before passing an education development charge by-law, the board shall complete an education development charge background study.”

Section 257.61 (2) of the Act and O. Reg. 20/98 sections 9 (1) and (2) set out the following information that must be included in an EDC background study:

Section 9 (1):

- Estimates of the anticipated amount, type and location of new dwelling units for each year of the 15-year forecast period in the area in which the charge is to be imposed;
- The number of projected new pupil places as a result of new growth and the number of new school sites needed to provide accommodation for those students;
- The number of existing pupil places by school and the number of available spaces to accommodate the projected number of new pupil places;
- For every existing elementary and secondary pupil place in the board’s jurisdiction that the board does not intend to use to accommodate pupils from new growth, an explanation as to why the board does not intend to do so.

Section 9 (2):

- For each elementary and secondary school site, estimates of the net education land cost, the location of the site, the area of the site (including the area that exceeds the maximum set out in section 2 of O. Reg. 20/98, and an explanation of whether the costs of the excess land are education land costs and if so, why);
- The number of pupil places the board estimates will be provided by the school to be built on the site, and the number of those pupil places that the board estimates will be used to accommodate new pupil places.



The EDC Guidelines suggest that school boards are required to provide the Ministry with a copy of the final background study at least 40 days prior to the anticipated by-law passage date. In addition, the background study must be made available to the public at least two weeks prior to the legislated public meeting.

## 2.3 Public Meetings

---

Before a school board can pass an EDC by-law, the legislation requires that the board hold at least one public meeting. The purpose of the meeting is to advise any interested stakeholders and the public at large of the board's intentions and address the new proposed EDC by-law. The public meeting also gives the community and stakeholders the opportunity to voice any issues or concerns they have with regard to the proposed by-law.

The board is required to provide at least 20 days' notice of the meeting and must make the background study as well as the new proposed by-law available to the public at least two weeks in advance of said meeting. O. Reg. 20/98 states that notice of a public meeting can be given in two ways:

- To every owner of land in the area to which the proposed by-law would apply by personal service, fax or mail;
- By publication in a newspaper that is, in the Secretary of the Board's opinion, of sufficiently general circulation in the area to which the proposed by-law would apply to give the public reasonable notice of the meeting.

If a school board already has an existing in-force EDC by-law in place, the board must hold an additional meeting to review the existing policies of the current EDC by-law. This part of the process is necessary in order to fulfil the necessary requirements of the policy review process. It should be noted that this policy review meeting can be addressed by the board during its EDC public meeting.

The Board intend to hold separate public meetings to inform the public of the new proposed EDC by-laws. BHNCD SB will hold its first and second public meetings on September 18, 2023, and consider passage of the EDC by-law at a third public meeting on October 10, 2023, as outlined in the following notice:



**BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD  
EDUCATION DEVELOPMENT CHARGES  
NOTICE OF PUBLIC MEETINGS FOR EDC BY-LAW**

**MONDAY SEPTEMBER 18, 2023 @ 3:00 P.M. and  
OCTOBER 10, 2023 @ 3:00 P.M.**

**To be held at the Catholic Education Centre, 322 Fairview Drive, Brantford**

**FIRST MEETING  
– POLICY REVIEW PUBLIC MEETING –  
MONDAY SEPTEMBER 18, 2023 @ 3:00 P.M.**

TAKE NOTICE that on September 18, 2023, the Brant Haldimand Norfolk Catholic District School Board will hold a public meeting pursuant to Section 257.60 of the Education Act. The purpose of the meeting will be to review the current education development charge policies of the Board and to solicit public input. Information concerning the Board's policies for its current education development charge by-law will be available on or before September 4, 2023, on the Board's website at [www.bhncdsb.ca](http://www.bhncdsb.ca).

**IMMEDIATELY FOLLOWED BY SECOND MEETING  
– SUCCESSOR BY-LAW PUBLIC MEETING –  
MONDAY SEPTEMBER 18, 2023 @ 3:15 P.M.**

TAKE NOTICE that on September 18, 2023, the Brant Haldimand Norfolk Catholic District School Board will hold a second public meeting pursuant to Section 257.63 of the Education Act. The purpose of the second public meeting is to consider the continued imposition of education development charges and a successor by-law and to inform the public generally about the Board's education development charge proposal. The education development charge background study required under Section 257.61 of the Education Act (including the proposed EDC by-law) setting out the Board's education development charge proposal will be available on or before September 4, 2023, on the Board's website at [www.bhncdsb.ca](http://www.bhncdsb.ca).

**THIRD PUBLIC MEETING  
– IN CONSIDERATION OF BY-LAW ADOPTION –  
OCTOBER 10, 2023 @ 3:00 PM  
To be held at Catholic Education Centre, 322 Fairview Drive, Brantford**

TAKE NOTICE that on October 10, 2023, the Brant Haldimand Norfolk Catholic District School Board will hold a third public meeting. The purpose of this meeting is to consider the enactment of a successor education development charges by-law that will apply to the development of land in the City of Brantford and the County of Brant, save and except for certain areas thereof which may not be subject to the by-law.

All interested parties are invited to attend the public meetings. Any person who attends the public meetings may make representations to the Board in respect of this matter in accordance with the Board's delegation procedures posted on its website. The Board will also post on its website instructions on how to connect remotely to the public meetings for those persons who wish to do so. Written submissions, filed in advance of the meeting, will also be considered. The Board would appreciate receiving written submissions one week prior to the public meetings, so that they may be distributed to Trustees prior thereto. Submissions and requests to address the Board as a delegation should be submitted to:



**Angela Vandeven, Executive Assistant**  
Office of the Director of Education  
Brant Haldimand Norfolk Catholic District School Board  
322 Fairview Drive, Brantford  
Ontario, N3T 5M8  
Telephone: (519) 756-6505 Ext. 11223

Any comments or requests for further information regarding this matter may be directed to Scott Keys, Superintendent of Business & Treasurer, Brant Haldimand Norfolk Catholic District School Board, at (519) 756-6505 Ext. 11272 or [skeys@bhncdsb.ca](mailto:skeys@bhncdsb.ca).

Rick Petrella  
Chair of the Board

Mike McDonald  
Director of Education & Secretary



## Stakeholder Participation

In addition to the legislated public meetings, the Ministry encourages school boards to include relevant stakeholders in the EDC process and discussions. Local developers or development associations, as well as municipalities, should be contacted in advance of the public meetings to ensure they are aware of the proposed EDC and bring to light any potential issues, etc.

The Consultant, BHNCD SB and the local municipalities have collaborated on the assumptions that underlie the preparation of the EDC background study and by-laws to ensure consistency in the included data and assumptions. Growth forecasts used for the EDC analysis are largely consistent with the most recent and available city and county forecasts.

The Board notified area stakeholders of upcoming bylaw renewals in the Summer of 2023 and has organized stakeholder information session for September 11, 2023, in advance of the legislated public meetings.

## Exemptions

The EDC by-law is subject to certain statutory exemptions for both residential and non-residential collection. The exemptions for residential development deal with residential intensification and replacement of units. If a new unit is added to an existing dwelling unit, for example, a single detached unit is converted to a duplex, the additional unit is exempt from EDCs. Section 3 of O. Reg. 20/98 sets out the classes of residential buildings and the maximum number of dwelling units that can be added under the exemption.

The legislation also allows for exemptions dealing with the replacement of residential units when the unit has been destroyed by fire, demolition or otherwise, or has been rendered uninhabitable, subject to certain conditions prescribed under section 4 of O. Reg. 20/98.

Non-residential statutory exemptions deal similarly with additions/enlargements of space and replacement of existing non-residential space that has been destroyed. A non-residential development that includes the enlargement of existing industrial space, up to 50% of the gross floor area (GFA) of the existing development, is exempt from EDCs as per section 257.55 of Division E of the *Education Act*. Replacement of non-



residential building space is exempt from EDCs if the existing space was destroyed by fire, demolition or otherwise, or has been rendered uninhabitable, subject to certain conditions in section 5 of O. Reg. 20/98.

In addition to the exemptions mentioned, the legislation allows for a limited non-residential exemption for certain institutional developments. Section 257.54 (5) of the *Education Act* stipulates that, “No land, except land owned by and used for the purposes of a board or municipality, is exempt from an EDC under a by-law passed under subsection (1) by reason only that it is exempt from taxation under section 3 of the Assessment Act.”

School boards may also decide to impose their own non-statutory exemptions to certain developments, both residentially and non-residentially. These types of exemptions may be for developments like seniors’ housing, social housing, or recreational developments. Non-statutory exemptions are entirely at the discretion of the board and any EDC revenues lost as a result cannot be recovered.

### **Expiration**

A school board can specify any date as the expiration date of the EDC by-law as long as the term of the by-law does not exceed five years. The exception to this rule is that the EDC by-law of one school board automatically expires on the same date as an existing by-law of a coterminous school board if they are in force in any part of the same area. Section 17 of O. Reg. 20/98 prescribes the conditions dealing with this special rule of expiry of by-laws.

### **Collection**

The EDC is collected by local municipalities on behalf of the school boards at the time a building permit is issued. The funds are deposited into an EDC reserve fund. The municipality, under the legislation, cannot issue a building permit if the EDC has not been paid. In addition to collecting the charge and transferring the monies to the school boards, municipalities are also required to provide the boards with detailed reports respecting all EDC transactions (section 20 of O. Reg. 20/98). At a minimum each report should cover the total EDCs that have been collected, the number of building permits issued (or GFA for non-residential), any exemptions granted and any permits that were issued without an EDC being paid.





The municipalities do not receive any remuneration for collecting EDCs on behalf of the school boards; however, municipalities are allowed to retain any interest earned on the monthly EDC balances.

## 2.4 Appeals and Amendments

---

### Appeals

The EDC by-law can be appealed by any individual or organization in accordance with the provisions in the *Education Act*. Sections 257.64 to 257.69 of the Act outline the legislation dealing with the appeal of the EDC by-law. The by-law is subject to appeal for a maximum of 40 days after the by-law has been passed. The school boards must provide a written notice that an EDC by-law has been passed (within 20 days of passage) and this notice must include information on how to file an appeal.

An appeal of an EDC by-law goes to the Ontario Land Tribunal (OLT) formerly known as the Local Planning Appeal Tribunal (LPAT), and before that as the Ontario Municipal Board (OMB), to be decided. All appeals must be filed in writing with the secretary of the school board within the allotted time allowed. The reasons for the appeal must be included in the notice. It is the responsibility of the secretary of the school board to forward a copy of the Notice of Appeal to the OLT within 30 days after the last day of the appeal period. In addition to the Notice of Appeal, the secretary must provide:

- A copy of the by-law certified by the secretary;
- A copy of the background study;
- An affidavit or declaration certifying that notice of the passing of the by-law was provided in accordance with the *Education Act*; and
- The original or true copy of all written submissions and material relevant to the by-law.

After hearing an appeal, the OLT may decide to:

- Dismiss the appeal in whole or in part.
- Order the board to repeal or amend the by-law.
- Repeal or amend the by-law itself.



If the by-law is repealed, the EDCs that have already been paid must be refunded. If the by-law is amended and the amended charge is lower than the original charge, the difference must be refunded. All refunds are due within 30 days of the by-law being repealed or amended. While the OLT does have the power to repeal or amend the by-law, they are not able to increase the quantum of the charge, remove or reduce the scope of discretionary exemptions or change the expiration date of the by-law.

## **Amendments**

The EDC legislation gives school boards the authority to amend their by-laws. Section 257.70 (1) of the Act states: “Subject to subsection (2), a board may pass a by-law amending an education development charge by-law.” There are certain limitations to an EDC amendment, specifically laid out in section 257.70 (2) of the Act, as follows:

A board may not amend an education development charge by-law so as to any one of the following more than once in the one-year period immediately following the coming into force of the by-law or in any succeeding one-year period:

- Increase the amount of an EDC.
- Remove or reduce the scope of an exemption.
- Extend the term of the by-law.

There are a variety of reasons why school boards may feel the need to amend their by-law. School boards may be paying more for school sites than what was estimated in the EDC and may need to increase their land cost assumptions, or they may need to change a discretionary exemption. The board does not need Ministry approval to pass an amending by-law; however, boards are required to provide proper notice proposing an amendment and of the amendment itself. Boards are also required to ensure that the original EDC background study is available, as well as any additional information that would explain the reason for the amendment. A public meeting is not required to pass an amending by-law, but it is recommended.



# Chapter 3

## The Process and Methodology of Calculating an Education Development Charge



## 3. The Process and Methodology of Calculating an Education Development Charge

The following chapter will outline the procedures and methodologies utilized to calculate the EDC. As mentioned earlier in this report, the EDC calculation is formulaic and technical in nature and encompasses three main components – demographic projections, determination of need (new school sites), and the associated costs.

### 3.1 Eligibility

---

School boards must meet certain criteria to be eligible to impose EDCs. The first criterion deals with the board's average projected enrolment compared to its OTG capacity. The second set of criteria, available only to school boards who have an existing in-force by-law, deals with outstanding EDC financial obligations.

#### Capacity Criteria

If a school board's average elementary or secondary enrolment on a jurisdiction-wide basis over the five years following proposed by-law passage is greater than the board's elementary or secondary OTG capacity, then it is eligible to impose an EDC.

Qualification on either panel allows the board to impose EDCs throughout its jurisdiction for both elementary and secondary new school sites. Form A of the EDC submission sets out the board's projected average daily enrolment over the proposed five-year term of the EDC by-law (2023/24 to 2027/28), as compared to the board's OTG capacity on both the elementary and secondary panels.

The board's OTG capacity for the EDC is based on the Ministry-approved permanent capacity according to the Education Capital Information System on the proposed date the new by-law is to come into force. Additional adjustments may be made to the capacity figure used in the study, in consultation with Ministry staff and for circumstances such as:

- OTG capacity of schools that are transferred from one panel to the other within 12 months of by-law passage may be attributed to the panel the school will be used for after the transfer is complete. Boards must have passed a resolution for this to take effect.



- The capacity of all schools or additions under construction and that are planned for opening within 12 months of the by-law coming into force are to be included in the capacity determination.
- Purpose built space that cannot be reasonably used to accommodate pupils from new growth may be excluded from the permanent capacity determination.
- The capacity of a leased school must be included if the school has a “New Pupil Place” capacity attributed to it. The “New Pupil Place” capacity is the capacity used in the determination of Ministry grants.
- Any schools that have been closed (in accordance with the board’s school closure policy) may be excluded from the permanent capacity. In addition, if a school is scheduled to close during the tenure of the by-law (with board-passed resolution) then the capacity may also be excluded.

The permanent existing capacity in the County of Brant and City of Brantford for BHNCDSD is **4,736** on the elementary panel and **2,313** on the secondary panel.

Jurisdiction wide, the Board meets the capacity trigger on the elementary panel with a 5-year average projected enrolment of **8,537** compared to the board-wide elementary capacity of **7,756**, leaving a deficit of **781** spaces.

On the secondary panel, the Board again meets the capacity trigger through 2023/24 to 2027/28 period. For BHNCDSD the average projected enrolment is **4,419**, with an total capacity of **3,402**, resulting in a deficit of **1,017** spaces.

**Form A from the EDC Ministry Submission for the Board can be found on the following pages.**



Figure 3-1: Brant Haldimand Norfolk Catholic District School Board – Form A

**A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL**

Elementary Panel	Projected Elementary Panel Enrolment						Elementary Average Projected Enrolment less Capacity
	Year 1	Year 2	Year 3	Year 4	Year 5	Average Projected Enrolment Over Five Years	
Board-Wide	2023/	2024/	2025/	2026/	2027/		
EDC Capacity	2024	2025	2026	2027	2028		
	7,990	8,271	8,556	8,797	9,074	8,537	781

**A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL**

Secondary Panel	Projected Secondary Panel Enrolment						Secondary Average Projected Enrolment less Capacity
	Year 1	Year 2	Year 3	Year 4	Year 5	Average Projected Enrolment Over Five Years	
Board-Wide	2023/	2024/	2025/	2026/	2027/		
EDC Capacity	2024	2025	2026	2027	2028		
	4,272	4,298	4,354	4,512	4,661	4,419	1,017



## Financial Obligations

A school board that has an existing EDC by-law in place, and has outstanding financial obligations related to its existing by-law that exceed the balance of the EDC reserve fund, is eligible to impose EDCs. It is possible for a board to have sufficient capacity to accommodate projected enrolment, yet still be obligated to pay for sites that have been purchased as a result of a growth-related need. Outstanding financial obligations can result from a board not having collected enough revenue because of growth shortfalls or an increase in land prices, or if a board has purchased school sites earlier than what was projected in the background study.

This financial obligation eligibility trigger was added to the original capacity trigger criteria with an amendment to O. Reg. 20/98 and came into force on March 12, 2002.

For school boards to qualify under this trigger, an EDC financial obligation must be demonstrated in the background study including the following required information:

- The board must have a previous by-law in effect after September 1, 1999.
- Funds borrowed from the EDC reserve fund must be reconciled back.
- Copies of Appendix D1 and D2 must be provided.
- A transaction history of EDC financial activity must be provided from the last Appendix D1 and D2 statements to proposed by-law implementation.
- A repayment schedule outlining the elimination of the EDC financial obligation must be provided.

The BHNCD SB's EDC reserve fund must be estimated to the day before the new by-law passage is considered. Based on actual and estimated revenues and expenditures provided by the school board, the BHNCD SB has an estimated reserve fund balance of **\$5,837,150**.

Form A, part A.2 of the Ministry EDC forms outlines the Board's proposed reserve fund balances at the time of by-law renewal.



## 3.2 Demographic Projections

---

The demographic projections respecting school enrolment and housing and population growth form an important basis for the entire EDC analysis. These projections ultimately determine eligibility, need and the final quantum of the charge. The housing unit forecasts contained in this study are consistent with the most recent Municipal forecast that were available at the time of study. Background, methodologies, and overviews of both the enrolment and housing forecasts can be found in Chapter 4 of this report.

The demographic projection requirements of the EDC consist of three distinct components: projecting the number of annual building permits that will be issued for new dwelling units and new non-residential space; projecting enrolment of the existing community; and projecting enrolment from new housing growth.

### New Dwelling Units

The number of new dwelling units in the area of the EDC by-law must be estimated for each of the next 15 years. The forecast is set out by three types of development, low density (single and semi-detached houses), medium density (townhouses) and high density (apartments) and is broken down by the school board review areas that were outlined earlier in this report in section 1.4.

The forecast is set out by varying types of development for two reasons. The first is that different types of development produce school-aged children in different ways. Lower-density developments typically produce greater numbers of school aged children than do apartments. Defining various types of developments allows for greater accuracy when projecting the number of new pupils arising from new developments. The second reason is to be able to calculate a differentiated charge should the Boards choose to do so. Each Board has the ability to charge a uniform EDC rate across all types of development – meaning that the EDC is one rate for a single detached unit or an apartment – or can choose to charge separate rates depending on the type of development.

There are certain situations, as defined by the legislation, where specific developments are exempt from EDCs, such as housing intensification. The forecast of **net new**





**dwelling units** should ensure that these exempt units are factored into any forecast and excluded.

### **Existing Community Projections and Projections of New Pupils**

The enrolment projections required in order to calculate EDCs must be made up of two distinct projections, one for the existing community and one for pupils from new housing growth. This is done because ultimately the number of total growth-related pupils must be offset by any available pupil places that are not required by pupils of the existing community in year 15 of the forecast. The existing community projection must estimate by school, the number of students for 15 years based on the number of existing students today and assuming no additional new housing growth. The board's total OTG capacity of the review area (as of by-law inception) less the projected number of existing community pupils in the review area in year 15, is the board's **total available space**.

The determination of pupils from new development is based on the aforementioned housing forecast and the use of pupil yield factors. Pupil yields are mathematical representations of the number of school-aged children that will be generated by a particular dwelling over the planning forecast and that will attend a particular school board. Pupil yields used in this analysis are based on Statistics Canada data and board historical enrolment information. Multiplying the pupil yield factors by the appropriate type of developments in the net new dwelling forecast determines the projected pupils from new development.

To determine the total **net growth-related pupil place requirements**, the available pupil places (total available space referenced above) must be subtracted from the total pupils projected from new development. Enrolment projections and the determination of net growth-related pupil places can be done on a jurisdiction-wide basis or on a review area basis. The EDC analysis in this study is based on a review area approach.

### **Site Needs**

The final "planning" or "forecasting" step in the EDC process is to determine the board's site needs, specifically the number, location and size of sites for new growth-related schools. The calculation of net growth-related pupil place requirements ultimately determines the number of necessary sites and their size. The regulation governing the



EDC provides a table of maximum sizes depending on the number of pupil places that will be constructed. These tables can be found on the following page.

While the calculations shown in the tables ultimately determine the amount/size of land that will be necessary for new school sites, the legislation also recognizes that there may be situations in which the necessary site for a new school may exceed the size specified in the table. For example, a board may need a larger site to accommodate certain municipal requirements or Ministry initiatives. Should a site exceed the legislative requirements, justification must be included in the EDC background study.

Table 3-1: Elementary School Maximum Area to Pupils

<b>Elementary Schools</b>	
Number of Pupils	Maximum Area (acres)
1 to 400	4
401 to 500	5
501 to 600	6
601 to 700	7
701 or more	8

Table 3-2: Secondary School Maximum Area to Pupils

<b>Secondary Schools</b>	
Number of Pupils	Maximum Area (acres)
1 to 1,000	12
1,001 to 1,100	13
1,101 to 1,200	14
1,201 to 1,300	15
1,301 to 1,400	16
1,401 to 1,500	17
1,501 or more	18



Form G of the Ministry EDC Forms submission provides specific details on each site the board is proposing to acquire to construct new schools. On a site-by-site basis, Form G provides information on the general location of the site (by review area or greater detail, if available), the proposed size of the new school, the approximate timing of site purchase as well as the percentage of the site that is considered EDC eligible. The Ministry also recommends that proposed site purchases for new schools are consistent with the board's long-term accommodation plans.

### **3.3 Growth-related Net Education Land Costs**

---

The planning or forecasting component of the EDC analysis is critical to determining the overall EDC-eligible needs of the Boards. To finalize the calculation process of the EDC, these accommodation needs must be translated into financial requirements. The analysis in the previous section determined the total growth-related pupil needs as well as the amount of land (in acres) that will be required to accommodate those pupils. EDC-eligible expenses are determined by attaching costs to acquire and service the land needed.

Land acquisition costs have been determined by qualified appraisers and the methodologies used as well as relevant data can be found in Chapter 5 of this report. Servicing costs are based on historical costs provided by the School Boards with respect to sites that have been recently developed. Once costs for each site have been finalized, the next step is to determine the percentage of each site that is EDC eligible. This is based on the percentage of net growth-related students that make up the total capacity of the proposed new school. For example, if the new proposed school had a capacity of 450, and 400 of the spaces were accounted for by new growth-related pupils, then the site would be 88.88% eligible for EDCs ( $400/450 = 88.88\%$ ).

In addition to site acquisition and servicing costs, there are other EDC-eligible expenses that can be included in the analysis. Examples of other EDC-eligible costs include:

- Interest and borrowing costs related to site acquisition;
- Land escalation costs;
- Costs related to the preparation and distribution of EDC background studies;
- Costs related to studies of land being considered for acquisition (environmental assessments); and



- Costs to service/prepare land for construction (grading, service lines, etc.).
- **Alternative Projects**

## **Alternative Projects**

The legislative revisions made with regard to EDC's and how they can be used, introduced the possibility/opportunity for EDC funds to be used in ways not historically possible or contrary to the older legislative regulations. One example of this is the introduction of Alternative Projects. A school board may request approval from the Ministry of Education, that EDC revenues be used towards an "alternative project." An alternative project is deemed as a "project, lease or other prescribed measure...that would address the needs of the board for pupil accommodation and would reduce the cost of acquiring land." Some examples provided by the Ministry of Education include but are not limited to, alternative parking arrangements (i.e., underground parking), additional capital costs attributed to vertical construction etc.

Alternative projects are a concept that have not been widely considered by many Ontario school boards to date, but opportunities and possibilities continue to be evaluated. Further study and detailed costs would need to be analyzed to determine the overall cost benefit of any such project which in turn would require Minister of Education approval before being fully incorporated into any EDC by-law.

## **Outstanding Financial Obligations**

In addition to the costs that have been outlined above, any outstanding financial obligations from previous by-laws are also eligible education land costs. A negative balance in the Board's EDC reserve funds, established for the area to which the proposed by-laws will apply, is considered an outstanding financial obligation and can be added to the total net education land costs. It should be noted that if the Boards have a positive balance in their EDC reserve funds, these funds must be used to defray any EDC-eligible expenditures. The total eligible costs are referred to as the **total growth-related net education land costs**.



## 3.4 Determination of the Charge

---

Once the total growth-related net education land costs have been determined, there are certain prescribed steps that must be followed to determine the actual quantum of the EDC. As discussed in Chapter 2, the legislation allows school boards to determine the type of EDC it will impose. Boards can impose EDCs on residential or non-residential developments and can also charge a uniform rate for all types of developments or can differentiate the rate based on dwelling unit types.

### Apportionment of Land Costs

The legislation allows school boards to allocate up to 40% of their education land costs to non-residential development. If a school board had a non-residential component to their EDCs, then the land costs would be multiplied by whatever percentage the board deemed to be apportioned to non-residential. For example, if the total land costs were estimated to be \$1 million and the non-residential allocation was 10%, then the **non-residential growth-related net education land costs** would total \$100,000. The remaining balance would make up **the residential growth-related net education land costs**.

To determine the residential charge (assuming a uniform charge), the total residential growth-related net education land costs are divided over the projected number of net new dwelling units assumed in the EDC forecast over the next 15 years. The result is the amount of the uniform residential EDC per dwelling unit. If charges are to be imposed on non-residential development, there are two ways in which they can be calculated. If the board chooses to use a non-residential forecast of GFA, then the total non-residential growth-related net education land costs are divided by the estimated GFA of proposed non-residential developments. The board can also choose to use a non-residential forecast of estimated declared values where the non-residential land costs are divided by the projected declared values and multiplied by 100 to get a non-residential charge.

Once the residential charge is determined, it can be charged uniformly across all types of development or different rates can be charged depending on the types of units being built. If the EDC is applied in a uniform manner, then the total residential land costs are simply divided over the estimated net new dwelling units as described earlier. If the board chooses to impose a differentiated EDC, then the charges are apportioned on the



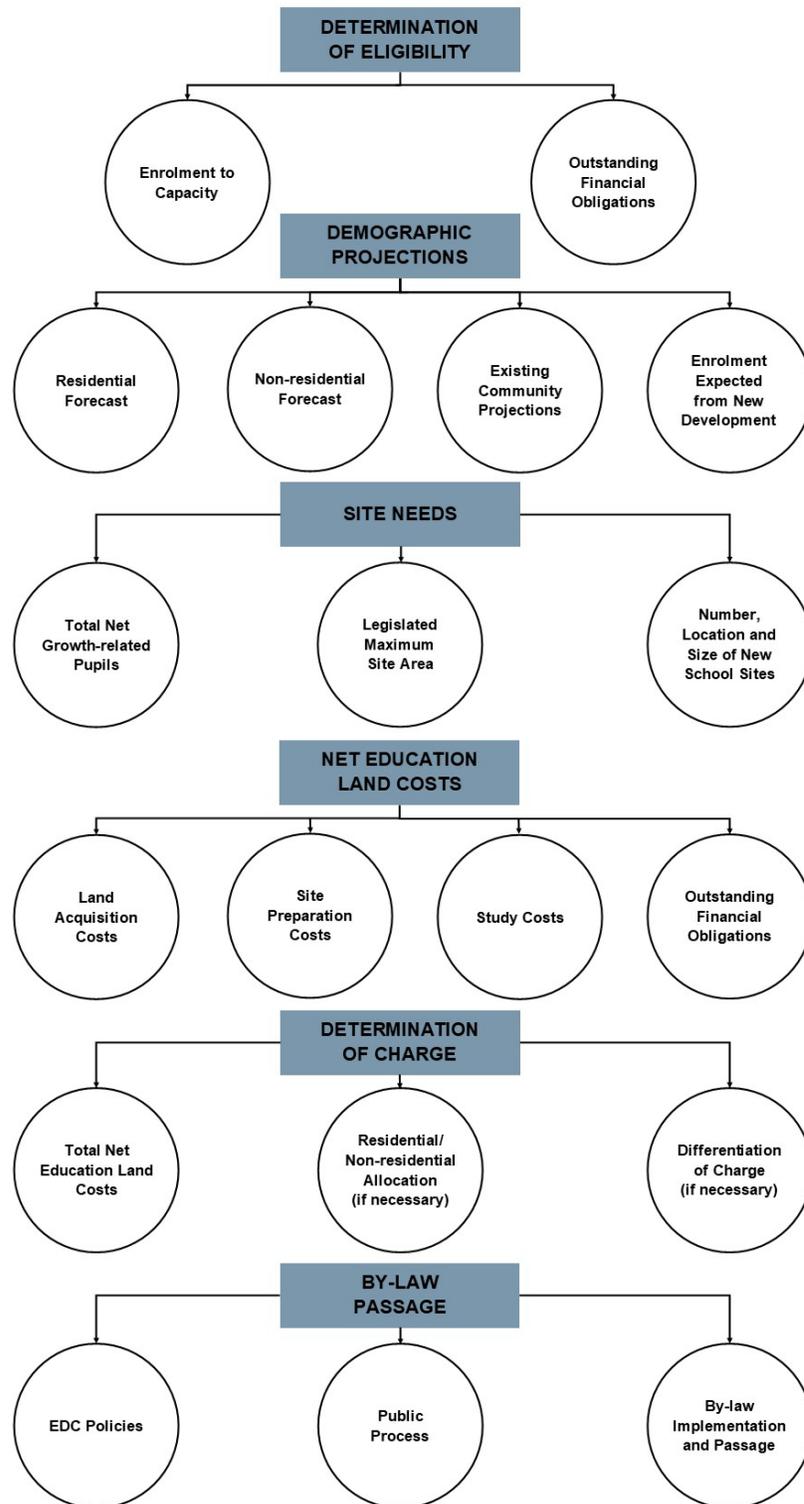
basis of different unit types producing different amounts of pupils. Boards may choose to define developments as they wish (i.e. low density, high density, condos, apartments, single family, etc.) but are encouraged to stay as consistent as possible with categories used by the municipalities impacted by the by-law.

A distribution factor is determined by the distribution of growth-related pupils amongst the various unit types defined by the board. For example, if 100 students were from low-density developments, 50 from medium-density developments and 10 from high-density developments, the distribution factors would be 62.5% for low density (100/160), 31.25% for medium density and 6.25% for high density. These distribution factors are then multiplied by the total residential land costs to determine the apportioned residential land costs by development type. Each separate amount is then divided by the number of net new units for the particular development type to arrive at the **differentiated residential EDC per unit by development type**.

A flow chart detailing the EDC process can be found on the following page. In addition, the Ministry EDC Forms, which detail the calculations required to determine the EDC can be found in Appendix A at the end of this report.



# EDC Process and Methodology





# Chapter 4

## Demographic Projections





## 4. Demographic Projections

As discussed earlier in this report, the demographic projections form the backbone of the EDC analysis in that they are used to determine eligibility, need, and ultimately the quantum of the charge itself. The demographic projections for an EDC consist of both forecasts of new housing development as well as projections of school enrolment. Projections of both new housing and enrolment must be provided on an annual basis for a 15-year period following by-law imposition.

**The following chapter provides the methodology and background to the demographic projections as well as the results of those projections for the County of Brant and City of Brantford.**

### 4.1 The Residential & Non-Residential Growth Forecast

---

#### 4.1.1 Residential

The residential growth forecast for the EDC is critical to the analysis because of the direct link between new homes and new pupils for the school board. In addition to determining a board's needs, the number of net new projected units in the forecast is what the total net education land costs get divided by to determine the final quantum of the residential charge. The dwelling unit forecast contained in this study provides a projection of the number of units on an annual basis for the next 15 years by low- (single/semis), medium- (townhouses) and high-density (apartments) allocations. O. Reg. 20/98 s. 7 (1) states that a board must "estimate the number of new dwelling units in the area in which charges are to be imposed for each of the 15 years immediately following the day the by-law comes into force."

Housing development and occupancy patterns have changed significantly over the last decade. Housing developments are offering more choice in terms of density, like singles, townhouses and apartments, as well as developments that cater to specific lifestyles or age groups (retirement residences). Recent policy changes by the provincial government, such as the new *More Homes Built Faster Act (2022)*, mandate that future developments will have more units on less land, increasing the likelihood of more urban type developments and infilling projects in the future. The combination of new initiatives, societal shifts in housing and accelerated economic change resulting



from the COVID-19 pandemic have posed a set of unique challenges for municipalities in the area to develop long-term population and housing projections.

The development projections contained in this study are derived from the 2023 Brant County MCR – Brant County (excludes the City of Brantford) and 2021 City of Brantford DC that outline population, housing and employment growth to 2041 and beyond. The anticipated growth from the Brantford expansion areas may not be fully representative due to the timing, phasing, and servicing timelines relative to the 15-year forecast period.

Over time and due to the rapidly changing planning landscape (change in local and provincial legislation), the Board will continue to monitor growth related metrics supplemented with other relevant data garnered from historical building permit issuance, small area development plans and conversations/meetings with local planning departments and revise forecasts as needed.

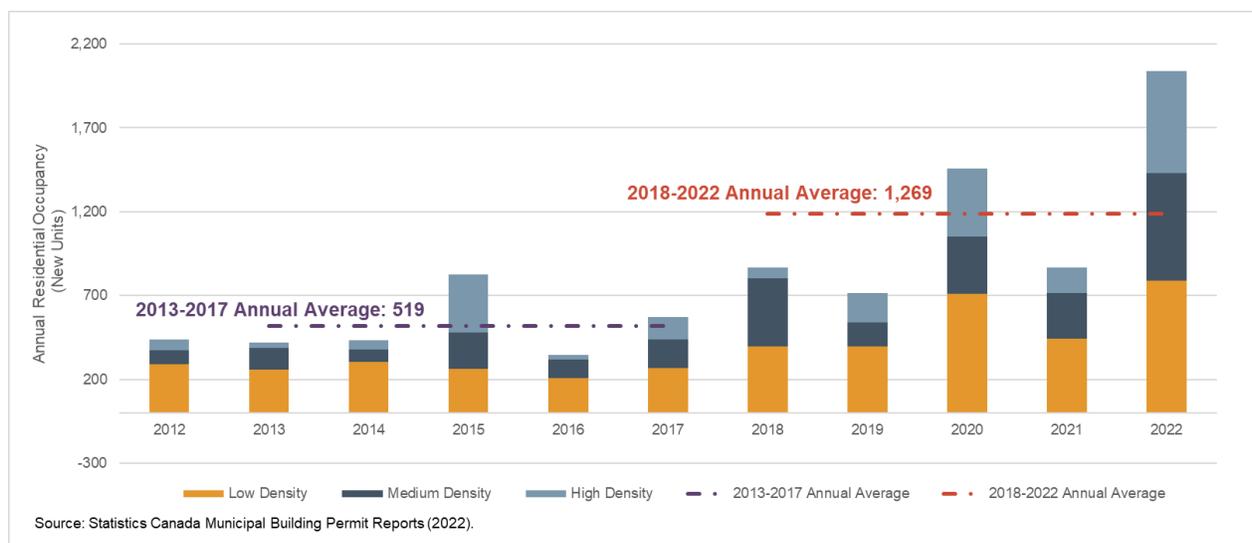
According to information from municipal building permit data, Brantford and Brant County has combined for an average of 1,269 occupancies from new units constructed from 2018 to 2022, increasing from a 2013-2017 average of 816 units. Residential building activity across the study regions has fluctuated over the last five years, ranging from a low of 714 in 2019 to a high of 1,457 permits issued in 2020 (range of 743 units). Since this peak in 2020, building permit issuance has slightly trended downwards to 867 in 2021 before surpassing the 2020 peak in 2022 with 2,037 building permits issued.



Table 4-1: The County of Brant and City of Brantford  
Historical Building Permit Occupancy (New Units)

Year	Area	Total
2012	County of Brant and City of Brantford	438
2013	County of Brant and City of Brantford	419
2014	County of Brant and City of Brantford	433
2015	County of Brant and City of Brantford	825
2016	County of Brant and City of Brantford	347
2017	County of Brant and City of Brantford	573
2018	County of Brant and City of Brantford	867
2019	County of Brant and City of Brantford	714
2020	County of Brant and City of Brantford	1,457
2021	County of Brant and City of Brantford	867
2022	County of Brant and City of Brantford	2,037
	2012-2022 County of Brant and City of Brantford	8,977
	2012-2022 Average	816
	2018-2022 Average	1,269

Figure 4-1: Brant County, Residential Building Permit Occupancy (New Units)  
by Type, 2012-2022





The City and County's growth forecasts project significant growth over the next few decades with an average of approximately **1,142** new dwelling units per year from 2023 to 2037 (15-year EDC forecast term). Recent trends are expected in future development is expected in the type of units being built. According to building permits reported by the municipalities between 2011 and 2021, approximately 53% of all permits were for low-density type units (singles/semis), 27% for medium-density type units, and 20% for high-density type units. Future growth is anticipated to have 47% of new development come from medium- and high-density development through both greenfield development and the expansion areas across the region.

Table 4-2: Brant County Residential Forecast, 2023-2037

Unit Type	# of Units	% By Density
Low Density (Singles/Semis)	9,172	<b>53%</b>
Medium Density (Townhouses)	4,604	<b>27%</b>
High Density (Apartments)	3,353	<b>20%</b>
<b>Total</b>	<b>17,129</b>	<b>100%</b>

Source: 2023 Brant County MCR – Brant County (excludes the City of Brantford) and 2021 City of Brantford DC.

Over the last decade, growth across the regions has not been distributed equally across each local municipality. From 2012-2022, the City of Brantford has received 65% of the region's housing development while Brant County has received 35% of all residential growth (Figure 4-2). Similar trends are expected through the 15-year projections with the City of Brantford anticipating to account for 83% of future residential unit development and Brant County to receive 17% of residential unit development over the 2023-2037 time horizon (Figure 4-3).



Figure 4-2: Brant County and City of Brantford, Historical Building Permits by Municipality, 2012-2022

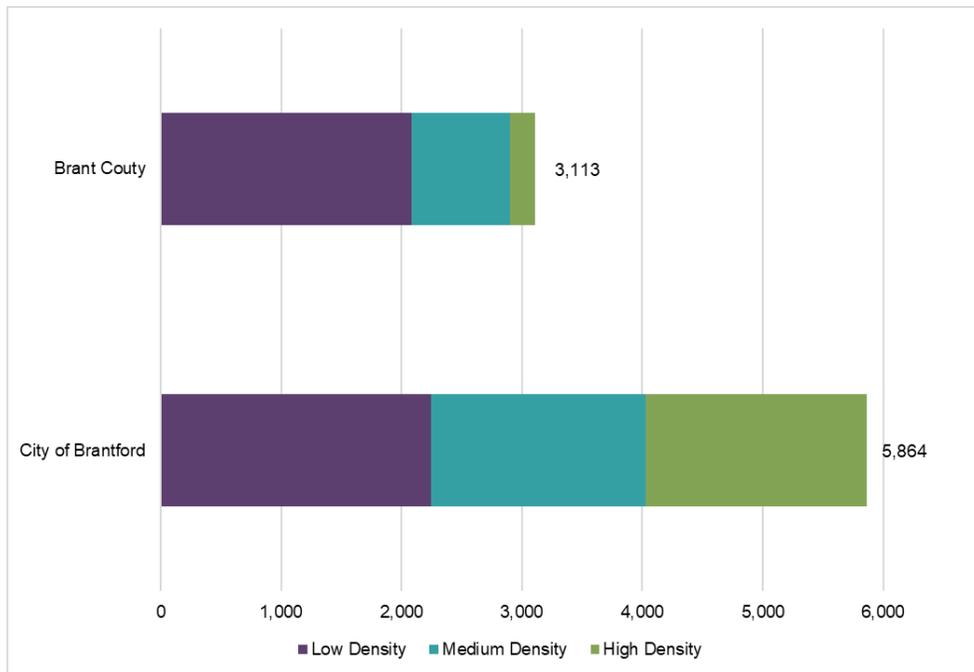
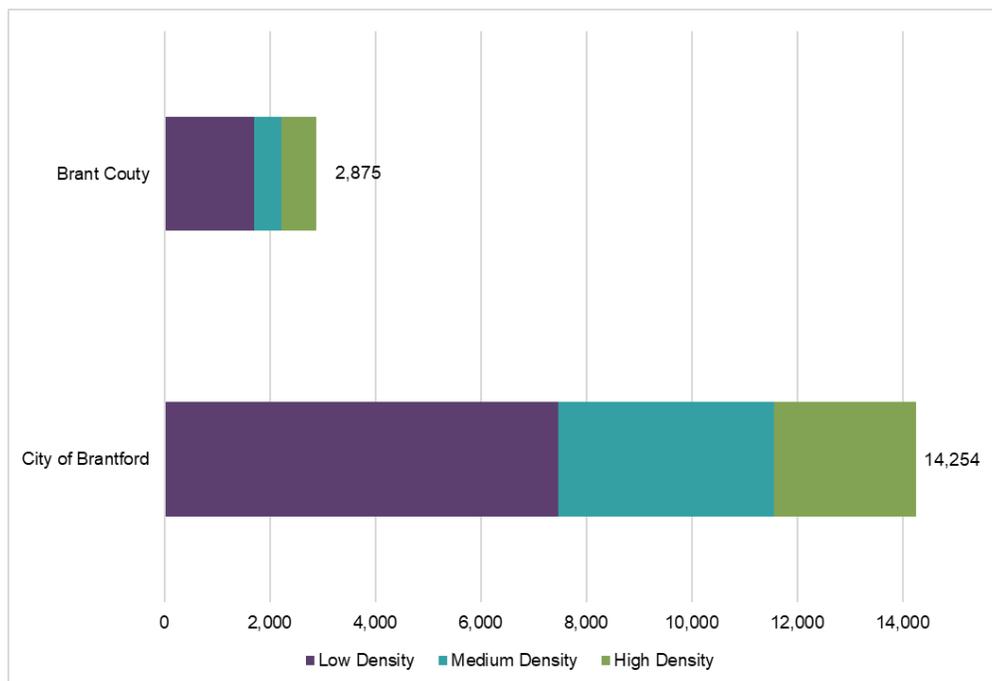


Figure 4-3: Residential Forecast, 2023-2037 by Municipality



Source: 2023 Brant County MCR – Brant County (excludes the City of Brantford) and 2021 City of Brantford DC.



As noted earlier, the final growth forecast for the Brant County EDC by-law for the BHNCDSD is based on the aforementioned data and totals 17,129 new units that are forecast to be built over the next 15 years. Of these new units, 53% are estimated to be low density, 27% medium density and 20% high density. While the forecast averages 1,142 units per year for the 15-year EDC term, the first five years of the forecast will average slightly lower new builds at 1,036 units per year. Forecasts for the BHNCDSD by elementary review area and density type can be found as part of the Ministry Forms package in Appendix A.

To account for intensification of units, which are exempt from EDCs, an adjustment to the projections was made to derive the “net” new units housing forecast. This adjustment is intended to estimate the number of units in the forecast that will be created by intensification – transforming an existing single-family home into duplex/apartment type units. The overall forecast was reduced by approximately 1.3% to estimate the number of exempt units and resulted in a projection of **16,906** net new units as seen on Form C.

#### **4.1.2 Non-residential**

The non-residential growth forecast provides a basis for calculating a non-residential EDC, should boards elect to impose such a charge. O. Reg. 20/98 s. 7 (10) states that, “If charges are to be imposed on non-residential development, the board shall determine the charges and the charges shall be expressed as a rate applied to the gross floor area (GFA) of a new development.” The non-residential forecasts contained in this report are projections of GFA and have been derived from the same sources as the residential forecasts.

The non-residential forecast for Brant County totals **16,990,928** square feet of GFA over the next 15 years. As with the residential forecast, assumptions must be made respecting certain exemptions of GFA. Industrial additions (up to 50% of existing floor area) and certain institutional properties (municipal and school board properties) are exempt under the legislation. Utilizing historical Statistics Canada data on non-residential construction by type, **3,568,121** (approximately 21%), square feet were exempt from this forecast and the total “net” new non-residential forecast totals **13,422,806** square feet of GFA.



## 4.2 Enrolment Projections

---

Enrolment projections for the purposes of the EDC analysis are completed as two separate components – enrolment of the existing community and enrolment expected from new housing growth. The enrolment projections of the existing community are based on a scenario of no new housing growth and examine projected enrolment of the existing population. The projections of enrolment from new housing focus on pupils that are generated from expected new housing developments. EDC-eligible growth-related pupils must be offset by any available space in the existing community, hence the necessity of examining enrolment projections utilizing the two separate components.

Enrolment projections have been prepared for each review area within Brant County. The existing community projections have been prepared for the Board's schools contained in the EDC analysis. The projections of enrolment from new housing growth are provided on a review area basis.

The enrolment projections also assume that students are accommodated in their home attendance areas. This means that any students currently in a holding situation, attending a school outside their home school boundary, are returned to their home boundary. Holding situations typically arise when students in a development area await new school construction and are “held” in nearby schools until the new school is open. Situations where students are permanently accommodated outside their home areas (e.g. are attending an outside school as part of a special program) are not affected.

### Methodology

The prediction of school enrolment involves the consideration of a wide range of factors. There are three common methods of enrolment projection: rate of growth, enrolment ratios and grade transition. The rate of growth method assumes that past rates of enrolment growth or decline will carry forward. In today's changing demographic and economic landscape this method of enrolment forecasting is unreliable. The enrolment ratio method looks at historical ratios of school enrolment compared with the overall population and then carries forward these ratios, or makes assumptions about new ratios, and applies them to a population forecast. The grade transition method examines historical progression rates from grade to grade and makes assumptions about the retention of grades from one year to the next.



Watson used a combination of the latter two methodologies – enrolment ratio and grade transition – in conjunction with robust demographic background data and historical Board enrolment to produce the enrolment forecast for the EDC. The enrolment projection methodology focuses on the relationships between demographic trends and actual historical enrolment of the Board. The basis of the assumptions for future trends comes from the analysis of these historical relationships.

## **Demographic Background**

A demographic profile is compiled for each review area within the Board's jurisdiction using data from the 2001, 2006, 2011, 2016 and 2021 Census. Trends in the demographic data are used to highlight changes in population on both a review area and jurisdiction-wide basis. Examining these historical trends assists in providing perspective and direction when determining future assumptions for the projections.

Table 4-3 and Table 4-4 depict the demographic trends for across the study area of Brant County and the City of Brantford. Growth in the region has fluctuated over the last four census periods. Between 2006 and 2011, there was a population increase of 8.8%, followed by a decline of 0.9% between 2011-2016. More recently, between 2016 and 2021, Ontario and Canada grew by 5.8% and 5.2% respectively, meanwhile the region continued to exceed the provincial and national averages and grew by 7.4% (Figure 4-3).

The elementary school-aged population (4-13 years) is especially important from a school board's perspective – the size of this cohort fluctuated from 2001 to 2021. Over the last decade, the elementary school-aged population has seen a decrease of 1.6% between 2011 and 2016, followed by a 5.4% increase between 2016 and 2021, a growth of over 600 from 2011 to 2021. Similarly, the secondary school-aged population (14-18) has fluctuated over the last twenty years. The secondary school-aged population (14-18) decreased by 12.8% from 2011-2016 followed by a slight bounce back between 2016 and 2021, increasing by 3.6% between 2016 and 2021.

In addition to the school-aged populations, the pre-school-aged population and the number of females aged 25-44 are both important as they are excellent indicators of what is expected to happen in the school-aged population in the short to mid-term. The pre-school population will be entering the school system in the next few years, and females between 25 and 44 years of age are said to be in their prime child-bearing





years. Examining these groups can provide insight into future births and the population of school-aged children. The pre-school-aged population grew by 4.4% from 2001 to 2006, and by 13.9% between 2006 and 2011. Between 2011 and 2016 the size of this age cohort decreases by 7% and remained stable between 2016 and 2021 with a growth of 0.4%. Meanwhile, the number of females aged 25-44 has also undergone overall growth, increasing by 1.4% from 2006 to 2011 and over 12% between 2016 and 2021.

Table 4-3: County of Brant and City of Brantford Demographic Profile, 2001 to 2021

Cohort	2001 Census	2006 Census	2011 Census	2016 Census	2021 Census
<b>Total Population</b>	<b>118,485</b>	<b>125,095</b>	<b>136,045</b>	<b>134,790</b>	<b>144,755</b>
Pre-School Population (0-3)	5,385	5,620	6,400	5,950	5,975
Elementary School Population (4-13)	16,675	16,045	16,445	16,175	17,055
Secondary School Population (14-18)	8,725	8,915	9,360	8,160	8,455
Population Over 18 Years of Age	87,700	94,515	103,840	104,505	113,270
<i>Females Aged 25-44</i>	17,045	16,780	17,010	16,695	18,735

Statistics Canada Census Single Year of Age data derived by Watson & Associates Economists Ltd. 2021.

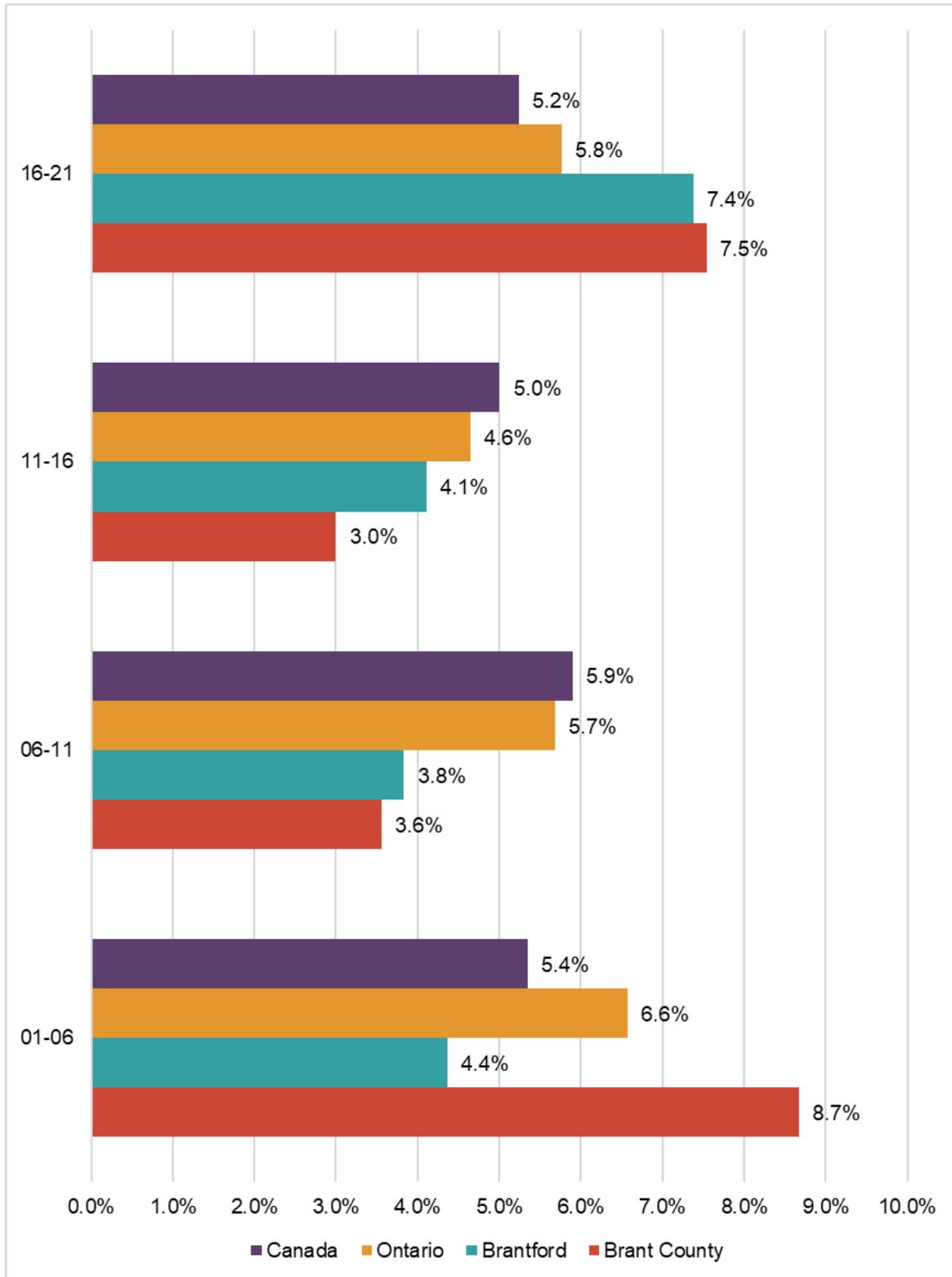
Table 4-4: County of Brant and City of Brantford Population Change, 2001 to 2021

Cohort	2001-2006		2006-2011		2011-2016		2016-2021	
	Abs.	%	Abs.	%	Abs.	%	Abs.	%
	Change	Change	Change	Change	Change	Change	Change	Change
<b>Total Population</b>	<b>6,610</b>	<b>5.6%</b>	<b>10,950</b>	<b>8.8%</b>	<b>-1,255</b>	<b>-0.9%</b>	<b>9,965</b>	<b>7.4%</b>
Pre-School Population (0-3)	235	4.4%	780	13.9%	-450	-7.0%	25	0.4%
Elementary School Population (4-13)	-630	-3.8%	400	2.5%	-270	-1.6%	880	5.4%
Secondary School Population (14-18)	190	2.2%	445	5.0%	-1,200	-12.8%	295	3.6%
Population Over 18 Years of Age	6,815	7.8%	9,325	9.9%	665	0.6%	8,765	8.4%
<i>Females Aged 25-44</i>	<i>-265</i>	<i>-1.6%</i>	<i>230</i>	<i>1.4%</i>	<i>-315</i>	<i>-1.9%</i>	<i>2,040</i>	<i>12.2%</i>

Statistics Canada Census Single Year of Age data derived by Watson & Associates Economists Ltd. 2021.



Figure 4-4: Historical Growth Rates





A description of the relevant population age cohorts is as follows:

- Pre-school aged (0-3) – used as a lead indicator of potential anticipated enrolment in the short term.
- Elementary (4-13) – represents the predominant age structure of the students that attend elementary schools.
- Secondary (14-18) – represents the predominant age structure of the students that attend secondary schools.
- Adult (18+) – reflects the segment of the population that does not attend elementary or secondary school.

## **The Enrolment Projection Process**

### Determining Entry Year Enrolment

One of the most important and most difficult components of the enrolment forecast is predicting entry year enrolment for the junior kindergarten (JK) grade. Much of the overall projection relies on the assumptions made with regard to pupils entering the system, which are based on a detailed review of historical births, pre-school population (0-3 years old) and historical JK enrolment. The JK participation rate (that is, the proportion of the 4-year-old population that enters JK) is examined from one Census period to the next to determine future participation ratios.

In addition, a population forecast of the pre-school and school-aged population (0-18 years) by single year of age was prepared for the study area. This forecast is based on the population trends of the 2001, 2006, 2011, 2016 and 2021 Census periods, as well as other relevant demographic trends of the area. Recent fertility and death rates are applied to the 2021 Census population and the population is aged to provide future births and future school-aged population.

The challenge in this population forecast is to exclude growth/development in this phase of the forecast. The total enrolment forecast is divided into two separate components – existing enrolment and enrolment from future housing. To account for this, trends are examined for the 2001, 2006, 2011, 2016 and 2021 Census populations to estimate levels of growth and migration that occurred between the Census periods. Assumptions arising from this examination are used to “strip” growth/migration from the projected population forecast to ensure that growth is not double counted.



Comparing historical JK enrolment to actual population provides ratios that are used to determine future JK enrolment from the projected 4-year-old population in the review area. This determines the projected JK pupils for the review area for the forecast period. These overall JK students then need to be allocated to their respective schools in the review area. This allocation is based on historical shares combined with any board information on recent openings/closures or program changes that may affect future share. Table 4.5 depicts an example of JK/Elementary participation rates between 2011 and 2021.

Table 4-5: An Example of Junior Kindergarten/Elementary Participation Rates (2011 to 2021)

<b>Single Year of Age</b>	<b>2011</b>	<b>2016</b>	<b>2021</b>
0	286	261	274
1	317	291	274
2	316	296	290
3	315	355	297
4	340	288	285
5	362	328	305
6	363	391	358
7	356	350	374
8	324	372	387
9	321	364	393
10	327	378	334
11	388	365	448
12	336	350	409
13	346	323	384
<b>JK Headcount Enrolment</b>	172	150	145
<b>Elementary Enrolment</b>	1,567	1,591	1,760
<b>JK Participation</b>	51%	52%	51%
<b>Elementary Participation</b>	45%	45%	48%

At this stage of the projections, each school in a review area will have a projected number of JKs for the forecast period. The next step then involves using the grade transition method to advance each grade from one year to the next. For every school in the system, retention rates from grade to grade are calculated and applied to grade enrolments as they are advanced through each projection year. Each school and community can be unique when it comes to grade retention. For example, the ratio of



senior kindergarten (SK) students to JK students is often higher in the more rural areas and an indication that more students routinely enter the SK grade than would be expected, given the JK count from the previous year. Programs, such as French Immersion, can also have a significant impact on grade-to-grade retention. Table 4-6 provides a generic example of retention rate calculations based on historical enrolment.

Table 4-6: Retention Rate Example

				Historical					
				2011/ 2012	2012/ 2013	2013/ 2014	2014/ 2015	2015/ 2016	2016/ 2017
Years	Years	Years	Grade	2012	2013	2014	2015	2016	2017
<b>5</b>	<b>4</b>	<b>2</b>	<b>JK</b>	1,484	1,562	1,539	1,559	1,605	1,730
111%	112%	110%	<b>SK</b>	1,720	1,611	1,745	1,750	1,696	1,797
110%	111%	112%	<b>1</b>	1,613	1,859	1,787	1,919	1,929	1,915
104%	103%	102%	<b>2</b>	1,847	1,682	1,949	1,866	1,947	1,994
104%	104%	104%	<b>3</b>	1,982	1,911	1,765	2,016	1,934	2,047
103%	103%	103%	<b>4</b>	1,971	2,004	1,953	1,846	2,067	1,990
103%	103%	103%	<b>5</b>	2,119	2,058	2,082	2,011	1,895	2,128
102%	102%	103%	<b>6</b>	2,151	2,145	2,093	2,123	2,051	1,953
101%	101%	102%	<b>7</b>	2,184	2,144	2,174	2,114	2,148	2,093
101%	102%	102%	<b>8</b>	2,120	2,210	2,194	2,178	2,145	2,193

Historical enrolment trends, overall participation rates/enrolment share as well as the overall demographics of the area are all examined in conjunction with the ratio of the projected enrolment to the population. This examination looks at the reasonableness of the projections and expected ratios and assumptions in light of recent historical trends.

### Secondary Enrolment Projections

The secondary enrolment projections are based largely on the elementary projections and how the elementary students transition into the secondary panel. Each secondary school of the board is assigned feeder elementary schools which form a “family” of schools based on board data. As grade 8 students graduate, they are assigned to their respective secondary schools. If grade 8 students can attend more than one secondary school, they are then allocated based on recent trends.



The other factor involved in projecting the entry year grade (grade 9) for secondary schools involves the concept of open access. In Ontario, students are permitted to attend the secondary school of their choice, regardless of religious requirements and assuming there is space and program availability. To account for this in the projections, the predicted grade 9 enrolment at a given secondary school based on its feeder schools and historical retention rates is compared to the actual grade 9 enrolment at the school. This ratio provides an approximation of the net students lost or gained due to open access.

The other important variable that is considered in the secondary enrolment projection methodology is the impact of the fifth year of secondary school being eliminated in 2003/04. The elimination of the fifth year of study does not mean that grade 12 students are not allowed to come back for a fifth year of study. There are still instances where grade 12 students may come back to finish the four-year program in five years or to upgrade or retake certain courses. The percentage of students that are coming back for a fifth year varies throughout the Province and even from school to school within a board. The projections in this analysis typically utilize a three-year average of grade 12 retention rates (putting greater emphasis on the last year or two) as well as input from the School Board on their experiences and expected future trends.

The remainder of the secondary projection follows the same methodology used in the elementary projections. Grades are advanced by applying historical grade transition rates for each school in the system. Assumptions are derived using historical ratios of enrolment to population and are used to ensure that projected secondary enrolment relates back to the projected secondary populations.

### Examining Historical Enrolment Trends

Historical enrolment provides trends that are used to help form assumptions for projected enrolment and provides an important basis to determine relationships with demographic data. The historical data can provide detail on things like how enrolment changes compare with the changes in the school-aged populations in the same area, how different sized grade cohorts are moving through the system, and how enrolment has changed in light of new housing activity.

An important indicator when examining historical enrolment is the ratio of senior elementary enrolment compared to junior elementary enrolment. This ratio provides a



quick “snapshot” of the current enrolment structure and can provide a short-term outlook of expected enrolment.

The comparison is made between the senior elementary grades (6-8) and the junior elementary grades (JK-1). Assuming full day JK and SK, an equal number of pupils entering JK-1 to those moving through the senior elementary grades would result in a ratio of 1. If the ratio is higher than 1, it indicates that more pupils are leaving the elementary system or school than are entering, and could be an indicator of future enrolment decline, at least in the short term and absent of mitigating factors. A ratio lower than 1 indicates possible enrolment growth (at least in the short term) and is typically found in growing areas where housing attracts young couples or young families with children.

The ratio of senior to junior elementary enrolment (that is, the Grade Structure Ratio or GSR) for the BHCNDSB in the County of Brant and City of Brantford was 1.15 in 2011/12, which then decreased in subsequent years. The GSR decreased to 1.06 in 2016/17 and then further decreased in 2021/22 to 1.01. Table 4-7 outlines historical enrolment and historical grade ratios for the BHCNDSB.

Table 4-7: The County of Brant and City of Brantford BHCNDSB Total

<b>GRADES</b>	<b>2011/ 2012</b>	<b>2016/ 2017</b>	<b>2021/ 2022</b>
<b>JK</b>	584	608	635
<b>SK</b>	592	601	784
<b>1</b>	605	631	713
<b>2</b>	661	617	734
<b>3</b>	623	658	720
<b>4</b>	646	647	769
<b>5</b>	680	662	704
<b>6</b>	669	639	715
<b>7</b>	698	669	712
<b>8</b>	686	640	734
<b>SE</b>	24	39	0
<b>ALT/OTH</b>	0	0	0
<b>TOTAL</b>	<b>6,468</b>	<b>6,411</b>	<b>7,220</b>
<b>RATIO</b>	<b>1.15</b>	<b>1.06</b>	<b>1.01</b>



## Enrolment Expected from New Housing

The second phase of the enrolment projection methodology involves predicting housing growth in the study area and its impact on school enrolment. Earlier in this chapter the residential unit growth forecasts were explained in detail. The residential unit forecast is used as the basis to predict future school enrolment from growth. Historical levels of occupancy by school-aged children and by housing type provide us with factors and trends that allow us to make assumptions about how new units might produce children in the future.

From an occupancy point of view, the number of people per housing unit has been declining in practically every part of the Province over the last decade or longer. In addition, the number of school-aged children per household has also been in sharp decline. New units today are not producing the same number of people or the same number of children as they have historically.

Each unit in the residential forecast is multiplied by a factor to predict the number of school-aged children that will come from the projected number of units. To derive this pupil generation factor, the methodology involves using custom Census data prepared specifically for Watson by Statistics Canada. The Census data provides information with respect to the number of pre-school-aged and school-aged children that are currently living in certain types and ages of dwelling units. For example, the data is able to provide the number of children aged between 4 and 13 years who live in single detached dwellings that are between one and five years old for any census tract in the study area.

Pupil yields were derived for both the elementary and secondary panels, for low-, medium- and high-density housing types for each review area in each Board's jurisdiction. The pupil yields and trends can vary significantly from area to area in a board's jurisdiction. In this way, factors are derived and applied to the appropriate growth forecast to get a forecast of school-aged children from new development. This new development forecast must then be adjusted to reflect only the enrolment for the subject board. Using historical apportionment and population participation rates, the enrolment forecast is revised to capture the appropriate share for the board.

For the BHNCD SB, the total yields for the elementary panel in the County of Brant and City of Brantford range between 0.113 in Brant County to 0.140 in the City of Brantford





(Table 4-11). Comparably, on the secondary panel, total yields for the County of Brant and City of Brantford are 0.061.

Figure 4-6 provides a flow chart outlining the process of projecting enrolment from new development.

Figure 4-5: Enrolment Expected from New Development

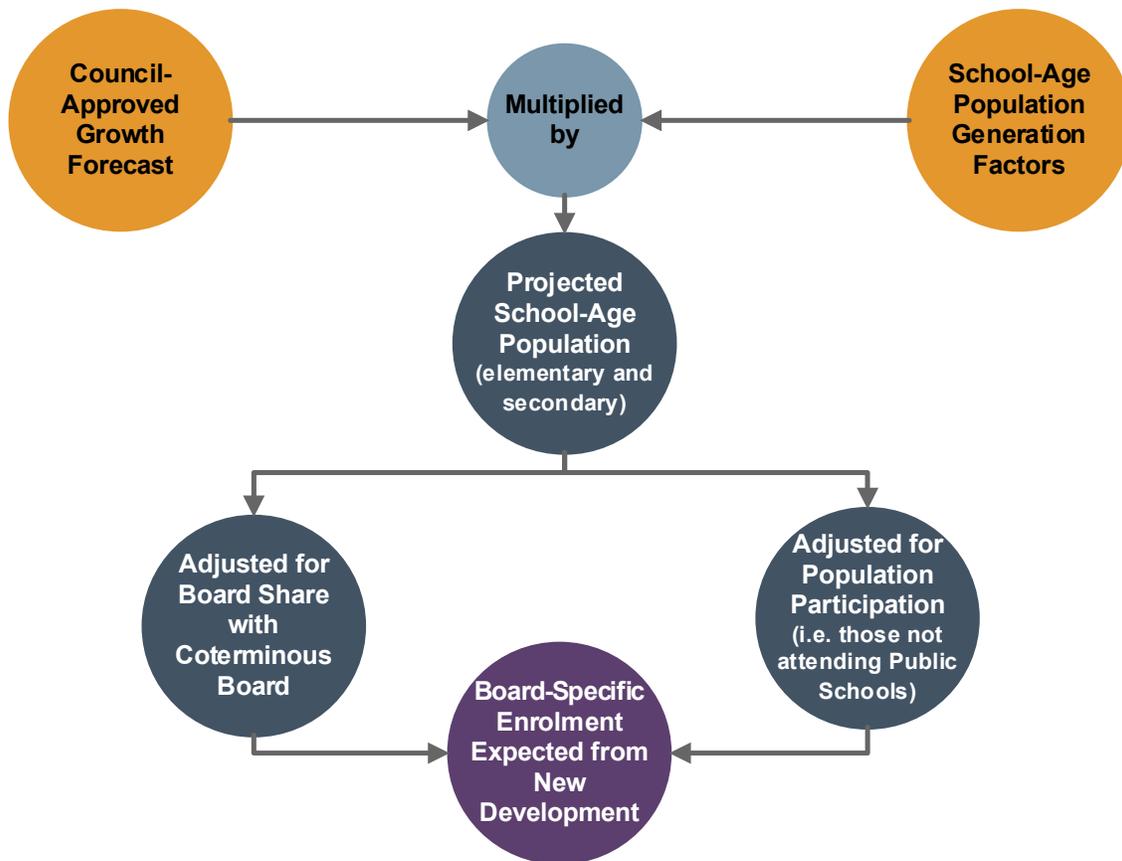




Table 4-8: BHCNDSB – Growth-Related Pupil Yields

Table 4.11.1: BHCNDSB – Elementary Growth-Related Pupil Yields

Form E – Growth-Related Pupils – Elementary Panel

Municipality	Dwelling Unit Type	Elementary Pupil Yield
Brantford	Low Density	0.200
	Medium Density	0.101
	High Density	0.031
	Total	0.140
Brant County	Low Density	0.152
	Medium Density	0.090
	High Density	0.028
	Total	0.113

Table 4.11.2: BHCNDSB – Secondary Growth-Related Pupil Yields

Form E – Growth-Related Pupils – Secondary Panel

Municipality	Dwelling Unit Type	Secondary Pupil Yield
Brantford/Brant County	Low Density	0.083
	Medium Density	0.051
	High Density	0.015
	Total	0.061



## 4.3 Summary of Projected Enrolment

---

The total EDC enrolment projections for the County of Brant and City of Brantford indicate that by the end of the 15-year forecast period (2037/38), BHCDSB will have a total elementary enrolment of approximately 8,279. This represents a total increase of 551 from 2022/23, nearly approximately 7.1%. On the secondary panel, enrolment is expected to increase by about 5.4% or 223 pupils, from a 2022/23 enrolment of 4,096 to around 4,319 by the end of the 15-year forecast term.

A summary of the projected enrolment for the Board, review area and panel can be found on the following page in Table 4-13.



Table 4-9: BHCNDSB Enrolment Projections

**BHCNDSB Elementary Review Areas**

Review Area	Year 1 2023/24	Year 5 2027/28	Year 10 2032/33	Year 15 2037/38
CE01	1,299	1,313	1,414	1,198
CE02	178	182	192	192
CE03	288	300	297	294
CE04	480	464	432	430
CE05	330	381	472	303
CE06	1,095	1,253	1,727	946
CE07	1,288	1,517	1,818	1,738
CE08*	1,661	1,733	1,764	1,662
CE09*	1,370	1,653	1,918	1,516
<i>Total Excluding Haldimand-Norfolk</i>	4,959	5,410	6,352	5,101
<b>Overall Total</b>	<b>7,990</b>	<b>8,797</b>	<b>10,034</b>	<b>8,279</b>

\*Haldimand-Norfolk Not Included in EDC Study

**BHCNDSB Secondary Review Areas**

Review Area	Year 1 2023/24	Year 5 2027/28	Year 10 2032/33	Year 15 2037/38
CS01	3,130	3,054	3,191	3,232
CS02*	1,027	1,016	1,162	1,087
<i>Total Excluding Haldimand-Norfolk</i>	3,130	3,054	3,191	3,232
<b>Overall Total</b>	<b>4,157</b>	<b>4,070</b>	<b>4,353</b>	<b>4,319</b>



# Chapter 5

## Education Development Charge Calculation



## 5. Education Development Charge Calculation

Once eligibility has been determined, the charge is calculated using the aforementioned forecasts and methodologies. The calculation is dependent on the growth/enrolment forecasts to project need, the valuation of land and services to assign a cost to that need and the residential and non-residential forecast to provide a quotient to determine the final quantum of the charge. O. Reg. 20/98, S.7 provides the basis under which the EDC is determined. The following section will explain and highlight the specific calculation components of the EDC.

### 5.1 The Projections

---

The residential dwelling unit forecasts as well as the non-residential GFA forecasts that were used in the EDC analysis are explained in detail in section 4.1 and outlined below.

#### Residential Unit Forecasts

County of Brant/City of Brantford	2023/24-2037/38
Total Projected Units	17,129
Total Net New Units	16,906

#### Non-Residential Unit Forecasts

County of Brant/City of Brantford	2023/24-2037/38
Total Projected Units	16,990,928
Total Net New Units	13,422,806

#### Net Growth-related Pupil Places

The projected school board enrolments as well as the residential forecasts determine the net growth-related pupil places which in turn determine the number of EDC-eligible



sites. Form E of the EDC Ministry Submission for each board and each panel is set out below. These forms, found in Table 5-1 and Table 5-2, highlight, by review area, are the net number of units, the board pupil yields, and the growth-related pupils.

The BHNCDSEB's projections forecast a total of 2,097 elementary net growth-related pupils and 1,110 secondary pupils in the County of Brant.



Table 5-1: BHNCD SB EDC Submission 2023 – the County of Brant and City of Brantford, Form E Growth-Related Pupils

**Brant Haldimand Norfolk Catholic District School Board**  
**Education Development Charges Submission 2023**  
**Form E - Growth Related Pupils - Elementary Panel**

**Form E - Growth Related Pupils - Secondary Panel**

Municipality	Dwelling Unit Type	Net New Units	Elementary Pupil Yield	Elementary Growth-Related Pupils	Municipality	Dwelling Unit Type	Net New Units	Secondary Pupil Yield	Secondary Growth-Related Pupils
Brantford	Low Density	7,462	0.200	1,495	BRANTFORD/BRANT	Low Density	9,172	0.083	761
	Medium Density	3,888	0.101	395		Medium Density	4,381	0.051	225
	High Density	2,706	0.031	83		High Density	3,353	0.015	50
	<b>Total</b>	<b>14,056</b>	<b>0.140</b>	<b>1,972</b>		<b>Total</b>	<b>16,906</b>	<b>0.061</b>	<b>1,035</b>
Brant County	Low Density	1,710	0.152	260					
	Medium Density	493	0.090	44					
	High Density	648	0.028	18					
	<b>Total</b>	<b>2,850</b>	<b>0.113</b>	<b>322</b>					
<b>SUBTOTAL:</b>				<b>2,295</b>	<b>SUBTOTAL:</b>				<b>1,035</b>
<b>LESS: Available Pupil Places:</b>				<b>198</b>	<b>LESS: Available Pupil Places:</b>				<b>-</b>
<b>NET GROWTH RELATED PUPILS:</b>				<b>2,097</b>	<b>NET GROWTH RELATED PUPILS:</b>				<b>1,110</b>





## 5.2 Net Education Land Costs

---

The enrolment projections, the Board's long-term accommodation plan and the EDC analysis ultimately determine the number of EDC-eligible sites that are needed for new growth-related schools. Form F of the Ministry Submission outlines by review area the 15-year enrolment projections as well as the net growth-related pupil places. Form G of the Ministry Submission outlines the number of new sites that will be needed as well as the number of EDC-eligible acres of land that are required for those sites.

O. Reg. 20/98, section 7, specifically paragraphs 4-7, deals with the steps involved in moving from the site component of the calculation to the financial or costing component of the calculation. A cost must be attached to the value of the land that needs to be purchased as well as the costs to provide services and prepare the land for construction. In addition, the balance of the existing EDC reserve funds must be calculated and incorporated into the analysis. Finally, the total eligible revenues, expenditures and existing deficits or surpluses are cash flowed over a 15-year period to determine the final charge.

Section 257.53 (2) specifically describes what education land costs are:

1. Costs to acquire land or an interest in land, including a leasehold interest, to be used by the board to provide pupil accommodation.
2. Costs to provide services to the land or otherwise prepare the site so that a building or buildings may be built on the land to provide pupil accommodation.
3. Costs to prepare and distribute EDC background studies.
4. Interest on money borrowed to pay for costs described in paragraphs 1 and 2.
5. Costs to undertake studies in connection with an acquisition referred to in paragraph 1. N.B. – Only the capital component of costs to lease land or to acquire a leasehold interest is an education land cost.



## Site Valuation

Paragraph 4 of section 7 of O. Reg. 20/98 states that,

“The board shall estimate the net education land cost for the elementary school sites and secondary school sites required to provide pupil places for the new elementary school pupils and secondary school pupils.”

To determine the costs of land acquisition, the BHNCDSD retained the appraisal firm of Cushman & Wakefield. The appraisers were responsible for providing a land value per acre for each EDC-eligible site identified in the analysis. In addition, the appraisers were asked to provide an annual land escalation factor (for five years) to apply to the current land values.

The following approach to land valuation was undertaken by the appraisers:

The acreage rates for each site/district have been based on an examination of historic acquisition costs, pending acquisition agreements and options, and available sales data. The information regarding the sites has been provided by the Board and has been relied upon as being accurate.

In addition, the values assume that the sites are zoned and serviced for residential development, notwithstanding the fact the many of the sites are still in the preliminary stages of planning – these “hypothetical” values are intended to capture the cost of land at the time the Board will be purchasing the sites to be used as schools.

In undertaking the appraisals, the two most common approaches to the valuation of development land were utilized and are summarized as follows:

- a) the **Direct Comparison Approach** which involves comparing or contrasting the recent sale, listing or optioned prices of comparable properties to the subject and adjusting for any significant differences between them; and,
- b) the **Land Residual Approach** (or Development Approach) which estimates land value based on determining selling prices of serviced lots and considers infrastructure costs and appropriate returns, rendering a ‘residual’ land value component.

The strengths underlying the Land Residual Approach are that it more accurately reflects the specific development parameters of a site, while its



weaknesses relate to the preliminary nature of planning and engineering information available.

The strengths underlying the Direct Comparison Approach are that it more accurately reflects market attitudes to development land, while its weaknesses relate to the specifics of the subject properties, particularly those that are draft plan approved. For all the subject properties, except where noted, both approaches have been utilized.

The tables on the following page set out the estimated EDC-eligible sites that the Board will require in the 15-year analysis term and their appraised land values on per acre basis. These values were calculated in 2023 and do not include escalation, site improvements, land transfer taxes, HST (net of rebate) or other associated acquisition costs.

Table 5-2: BHNCD SB Elementary Sites

<b>ELEMENTARY PANEL</b>	
<b>Site</b>	<b>Cost Per Acre</b>
CE01 Site #1	\$1,223,000
CE06 Site #1	\$1,294,000
CE06 Site #2	\$1,263,000
CE07 Site #1	\$1,219,000

Table 5-3: BHNCD SB Secondary Sites

<b>SECONDARY PANEL</b>	
<b>Site</b>	<b>Cost Per Acre</b>
CS01 Site #1	\$580,000

### **Land Escalation Over the Forecast Period**

As previously mentioned, the appraiser's report estimates an annual land escalation rate to be applied to the acreage values in order to sustain the likely site acquisition costs over the next five years. In arriving at an escalation factor the appraisers considered the recent historical general economic conditions at both the micro- and macro-economic levels. The purchase of school sites by the Board takes place on a very local level, with the Board entering negotiations with developers on a site-specific basis. Notwithstanding the individual nature of these transactions, it is important to



recognize the perception that the health and stability of the economy as a whole has been downgraded, with impacts felt in virtually all sectors including residential land sales.

Having regard for all of the above, the appraisers concluded escalation factors of 2% per annum for the first year through to the final year are reasonable for the purposes of projecting the land values over the five-year by-law period.

### **Land Development and Servicing Costs**

The *Education Act* includes the “costs to provide services to the land or otherwise prepare the site so that a building or buildings may be built on the land to provide pupil accommodation” as an EDC-eligible education cost. These costs typically include services to the lot line of the property, rough grading and compaction of the site and that the site is cleared of debris. Costs related to studies of land being considered for acquisition such as environmental assessments or soil studies are also considered to be EDC eligible.

Discussions with stakeholders and the Ministry of Education in past EDC by-law processes has resulted in a list that includes some of the primary development and servicing costs that are considered to be EDC eligible:

- Agent/commission fees to acquire sites;
- Municipal requirements to maintain sites prior to construction;
- Appraisal studies, legal fees;
- Expropriation costs;
- Site option agreements; and
- Land transfer taxes.

Based on recent historical site preparation costs, a figure of **\$42,750 per acre** for BHNCD SB was used in the study. Using historical economic data and construction cost indices, an escalation factor of **4.3%** per annum was applied to the assumed per acre site preparation costs. Site preparation costs are escalated to the time of site purchase.

### **Total Land Costs**

The total net education land costs including the site acquisition costs, the escalation of land over the term of the by-law (five years), the site development/servicing costs, as



well as associated financing costs and study costs are projected to approximately **\$46.5** million for the BHNCDSD in Brant County.

### **5.3 Reconciliation of the EDC Reserve Fund**

---

Before the final growth-related net education land costs can be determined they must be adjusted by any deficit or surplus in the existing EDC reserve fund. If there is a positive balance in the EDC reserve fund this amount is subtracted from the total land costs and used to defray EDC-eligible expenditures.

Section 7, paragraphs 5-7 of O. Reg. 20/98 describe the process of deriving the final net education land costs.

“The board shall estimate the balance of the education development charge reserve fund, if any, relating to the area in which the charges are to be imposed. The estimate shall be an estimate of the balance immediately before the day the board intends to have the by-law come into force.”

“The board shall adjust the net education land costs with respect to any balance estimated under paragraph 5. If the balance is positive, the balance shall be subtracted from the cost. If the balance is negative, the balance shall be converted to a positive number and added to the cost.”

“The net education land cost as adjusted, if necessary, under paragraph 6, is the growth-related net education land cost.”

The reserve fund analysis summarizes the EDC collections (both actual and estimated) as well as the EDC costs that have been expended (both actual and estimated) and the estimated EDC reserve fund balance. It is based on the Ministry of Education Appendix D1 and D2 Forms that are prepared and submitted to the Ministry by all school boards with EDC by-laws in place. The balance from the most recent Appendix D1/D2 is used as the base point. The EDC reserve fund must also include certain estimates respecting revenues and expenditures to account for the most recent actual balance and the balance estimated to the new EDC by-law date.

Incorporating actual collections and expenditures since 2018 as well as estimates to the proposed new by-law inception date, the new reserve fund balance for BHNCDSD is estimated at **\$5,837,150** in the EDC region of the County of Brant and City of Brantford.



## 5.4 The Education Development Charge

---

The total land costs, adjusted by any surplus or deficit in the EDC reserve fund, determine the total net education land costs for which EDCs may be imposed. The final steps in the process involve apportioning the land costs between residential and non-residential as well as differentiating the charge by development type, if necessary. The existing EDC by-laws for BHNCD SB is based on an 100% residential charge. The EDCs are a uniform rate across all types of development. The proposed charge in this background study is premised on the same assumptions. In addition, a differentiated residential charge is also presented as part of the EDC Forms package contained in Appendix A.

The final net education land costs that have been apportioned to residential are divided over the net new units from the dwelling forecast to determine a final EDC rate per dwelling unit.

The net education land costs for the residential portion of BHNCD SB's by-law are estimated to be **\$46,485,674** and the number of net new units in the EDC forecast is projected to be **16,906** resulting in rate of **\$2,750** per dwelling unit.

Tables for the proposed by-laws, shown below, outline the total growth-related net education land costs, the net new units and the final EDC rates.

### BHNCD SB – the County of Brant and City of Brantford EDC Calculation of Uniform 100% Residential

Residential Growth-Related Net Education Land Costs	\$46,485,674
Net New Dwelling Units (Form C)	16,906
<b>Uniform Residential EDC Per Dwelling Unit</b>	<b>\$2,750</b>

### EDC Rate Phase-In

As described earlier in the report, the final step in the EDC calculation is to determine the permitted phase-in of EDC rates. The existing in-force EDC rates for the BHNCD SB are **\$1,408** per residential unit. As described above, the residential EDC rate can increase by **\$300** per year over the existing rate, and upon passage of a new by-law would equal **\$1,708** per unit. This would increase to **\$2,008** in year 2, **\$2,308** in year 3, **\$2,608** in year 4, and hitting the max in year 5 with a rate of **\$2,750**.



The following tables provide a summary of the existing EDC rates, the proposed phase-in of rates and the new maximum rate.

Table 5-4: BHNCD SB Phase in Rates

Type of Development	Existing EDC Rate	Year 1	Year 2	Year 3	Year 4	Year 5	MAXIMUM RATE
100%(Res.)	\$1,408	\$1,708	\$2,008	\$2,308	\$2,608	\$2,750	<b>\$2,750</b>

### The Cashflow Analysis

A cashflow analysis was completed, incorporating all eligible EDC expenditures, current reserve fund balances and land escalation factors, to determine the necessary revenues that will be collected through the imposition of EDCs. When revenue in any given year is insufficient to cover the expenditures, financing is assumed. The methodology used for the cashflow analysis is consistent with accounting practices used by many school boards, municipalities and financial lenders across the Province.

#### General Assumptions Used

The cashflow analysis must incorporate certain assumptions respecting interest rates, terms, escalation, etc. The table below outlines the general assumptions that have been used for the EDC analysis.

Site Acquisition Escalation Rate	Yr. 1 – 2%, Yr. 2 – 2%, Yr. 3 – 2%, Yr. 4 – 2%, Yr. 5 – 2%
Site Preparation Escalation Rate	4.25% per annum
EDC Reserve Fund Interest Earnings	1.5%
Short Term Debt (term/rate)	5 years at 6.5%

#### Description of Cashflow

The first section of the cashflow deals with **revenue** – there are two distinct components to the revenue section of the cashflow:



1. The first component deals with any debt the boards incur. The total debt issuance for any given year will be identified in Lines 1 or 2 of the cashflow.
2. The second component deals with the actual expected collections through the imposition of the EDC incorporating the annual net new dwelling unit forecast and non-residential forecast (if available). Projected EDC collections by year can be found on Lines 3, 4 and 5 of the cashflow.

The second section of the cashflow deals with **expenditures** – the eligible EDC expenditures incorporate the site acquisition and development costs, study costs and financing costs for incurred debt.

- Site acquisition costs are found on Line 7 of the analysis and are escalated for up to a five-year period (term of the by-law).
- Site preparation/development costs are found on Line 8 of the cashflow and have also been escalated for the term of the by-law.
- Study costs (Line 9) are based on actual and projected board data and are included for each expected subsequent by-law renewal (every five years).
- Financing costs (debt carrying costs) are found on Line 10 of the cashflow analysis.

The final section of the cashflow provides the projected opening and closing balances of the EDC reserve fund incorporating any existing deficit or surplus as well as annual interest earnings on any balance in the account. Total borrowing, debt payments and outstanding debt can be found in the bottom right portion of the cashflow analysis.

Cashflows for BHNCD SB (and by-law) are included in Table 5-9 on the following page.





**Table 5-5: BHNCDSB 15-Year Cashflow  
The County of Brant and City of Brantford EDC By-Law**

**Brant Haldimand Norfolk Catholic District School Board  
Education Development Charge 2023  
15 Year Cash Flow Analysis**

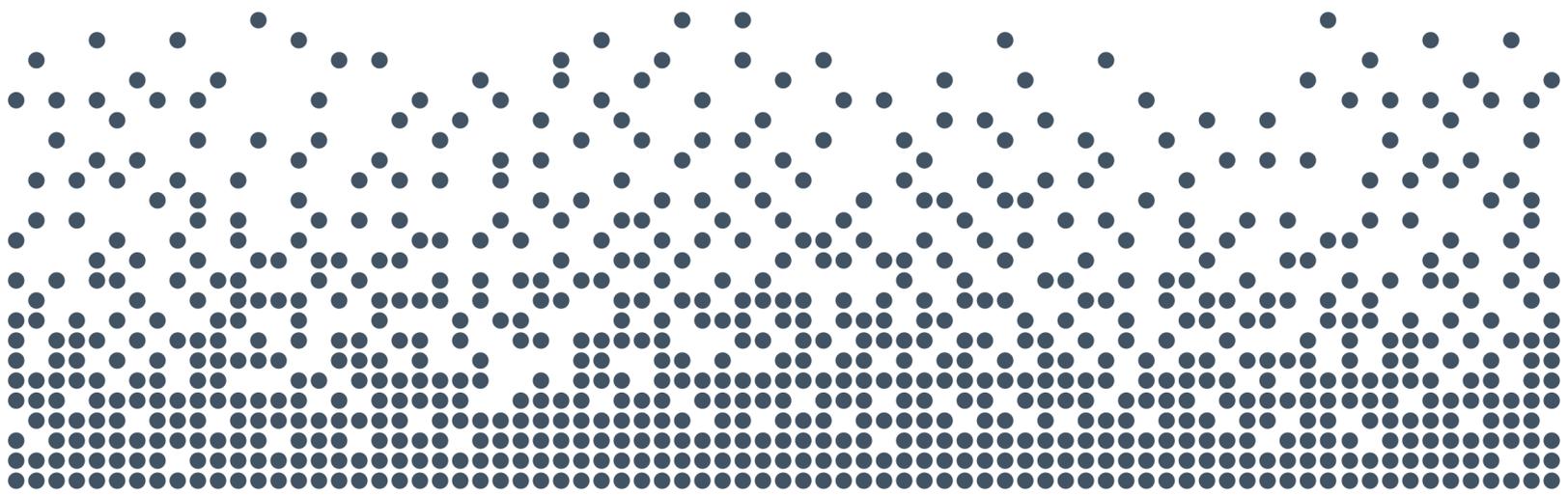
Cash Flow Assumptions	
A. Reserve Fund Interest Rate	1.50%
B. Borrowing Rate	6.50%
C. Borrowing Term (Years)	10

Range of Residential and Non-Residential Rates		
Non-res Share	Res Rate	Non-Res Rate
0%	\$2,750	\$0.00
5%	\$2,612	\$0.17
10%	\$2,475	\$0.35
15%	\$2,337	\$0.52
20%	\$2,200	\$0.69
25%	\$2,062	\$0.87
40%	\$1,650	\$1.39

		Year 1 2023/ 2024	Year 2 2024/ 2025	Year 3 2025/ 2026	Year 4 2026/ 2027	Year 5 2027/ 2028	Year 6 2028/ 2029	Year 7 2029/ 2030	Year 8 2030/ 2031	Year 9 2031/ 2032	Year 10 2032/ 2033	Year 11 2033/ 2034	Year 12 2034/ 2035	Year 13 2035/ 2036	Year 14 2036/ 2037	Year 15 2037/ 2038
<b>Projected Revenues</b>																
1 Long Term Financing		\$0	\$15,400,000	\$0	\$0	\$0	\$0	\$0	\$10,000,000	\$0	\$500,000	\$100,000	\$500,000	\$0	\$0	\$0
2 Subtotal Financing		\$0	\$15,400,000	\$0	\$0	\$0	\$0	\$0	\$10,000,000	\$0	\$500,000	\$100,000	\$500,000	\$0	\$0	\$0
3 Education Development Charge Revenue (Residential)	2,750 per unit	\$2,742,436	\$2,787,716	\$2,830,247	\$2,636,531	\$3,043,340	\$3,104,852	\$3,166,497	\$3,228,009	\$3,376,372	\$3,188,465	\$3,242,127	\$3,295,789	\$3,352,201	\$3,358,437	\$3,132,657
4 Education Development Charge Revenue (Non-Residential)	0.00 per sq.ft	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5 Subtotal EDC Revenue (3 + 4)		\$2,742,436	\$2,787,716	\$2,830,247	\$2,636,531	\$3,043,340	\$3,104,852	\$3,166,497	\$3,228,009	\$3,376,372	\$3,188,465	\$3,242,127	\$3,295,789	\$3,352,201	\$3,358,437	\$3,132,657
6 Total Revenue (2 + 5)		\$2,742,436	\$18,187,716	\$2,830,247	\$2,636,531	\$3,043,340	\$3,104,852	\$3,166,497	\$13,228,009	\$3,376,372	\$3,688,465	\$3,342,127	\$3,795,789	\$3,352,201	\$3,358,437	\$3,132,657
<b>Education Development Charge Expenditures</b>																
7 Site acquisition costs (Escalation Rates Included) <sup>1</sup>		\$0	\$25,436,760	\$0	\$0	\$0	\$0	\$0	\$14,380,496	\$0	\$0	\$0	\$0	\$0	\$0	\$0
8 Site preparation costs (Escalation Rates Included) <sup>1</sup>		\$0	\$1,292,439	\$0	\$0	\$0	\$0	\$0	\$550,386	\$0	\$0	\$0	\$0	\$0	\$0	\$0
9 Projected Future Study Costs		\$100,000				\$100,000					\$100,000					
10 Long Term Debt Costs		\$0	\$0	\$2,142,212	\$2,142,212	\$2,142,212	\$2,142,212	\$2,142,212	\$2,142,212	\$3,533,259	\$3,533,259	\$3,602,811	\$3,616,722	\$1,544,062	\$1,544,062	\$1,544,062
11 Total Expenditures (7 through 10)		\$100,000	\$26,729,199	\$2,142,212	\$2,142,212	\$2,242,212	\$2,142,212	\$2,142,212	\$17,073,094	\$3,533,259	\$3,633,259	\$3,602,811	\$3,616,722	\$1,544,062	\$1,544,062	\$1,544,062
<b>Cashflow Analysis:</b>																
12 Revenues Minus Expenditures (6 -11)		\$2,642,436	-\$8,541,483	\$688,035	\$494,319	\$801,127	\$962,639	\$1,024,284	-\$3,845,086	-\$156,887	\$55,206	-\$260,685	\$179,067	\$1,808,139	\$1,814,375	\$1,588,595
13 Opening Balance (previous year's closing balance)		\$0	\$5,837,150	\$8,606,780	\$66,276	\$765,626	\$1,278,844	\$2,111,171	\$3,119,917	\$4,206,364	\$366,697	\$212,957	\$272,185	\$11,673	\$193,601	\$2,031,766
14 Sub total (17 + 18)		\$0	\$8,479,586	\$65,297	\$754,311	\$1,259,945	\$2,079,971	\$3,073,810	\$4,144,201	\$361,278	\$209,810	\$268,163	\$11,500	\$190,740	\$2,001,740	\$3,846,141
15 Interest Earnings		\$127,194	\$979	\$11,315	\$18,899	\$31,200	\$46,107	\$62,163	\$5,419	\$3,147	\$4,022	\$173	\$2,861	\$30,026	\$57,692	\$82,386
16 Closing Balance (19 + 20)		\$5,837,150	\$8,606,780	\$66,276	\$765,626	\$1,278,844	\$2,111,171	\$3,119,917	\$4,206,364	\$366,697	\$212,957	\$272,185	\$11,673	\$193,601	\$2,031,766	\$3,903,833

<sup>1</sup> Land acquisition costs have been escalated by 2% compounded for the term of the bylaw. Escalation rates for site preparation costs are also applied for the term of the bylaw and are escalated by 4.25% compounded annually.

Long Term Borrowing (Total of Line 2): \$26,500,000  
 Total Debt Payments (current \$, Total of Lines 10 + Outstanding Debt): \$36,862,743  
 Outstanding Debt At End Of Forecast(15 years): \$5,091,232  
 Outstanding Debt Will Be Fully Funded In: 2044



# Appendices



# Appendix A

## Education Development Charges Ministry of Education Forms Submission



# Appendix A: Education Development Charges Ministry of Education Forms Submission

The Ministry of Education has prepared a set of standard forms that are required to form part of the EDC Background Study. The forms are used by the Ministry to review the EDC analysis and are standardized so that information is presented in a consistent manner for all school boards. The forms for each School Board's EDC analysis are found in this appendix. In addition, a description of each form and its purpose can be found below.

## **FORM A1 AND A2**

This form is used to determine whether a school board is eligible to impose EDCs. The A1 section of the form includes the board's approved OTG capacity for each panel as well as the projected five-year enrolment. If the average five-year projected enrolment is greater than the board's OTG capacity (on either panel), the school board is eligible to impose EDCs. The A2 section of the form deals with any outstanding EDC financial obligations. The form highlights any outstanding principal less the existing reserve fund balance. A positive financial obligation results in a board being eligible to impose future EDCs.

## **FORM B**

Form B outlines the dwelling unit forecast that was used in the EDC analysis. The forecast is provided by EDC review area and by year for low-, medium- and high-density types of development.

## **FORM C**

This form provides the net new dwelling units that are requirement of the EDC analysis. Due to certain statutory exemptions (intensification) that were discussed earlier in this report, a certain percentage of units are removed from the forecast to determine the "net new units."

## **FORM D**

This form provides the non-residential forecast of gross floor area in square feet over the next 15 years. In addition to providing the total projected square footage, this form



also includes an estimate as to the amount of square footage that is exempt from the forecast. Similar to the residential forecast, because of certain statutory exemptions, an assumption must be made regarding square footage that is excluded from the final EDC forecast.

## **FORM E**

Form E provides the total number of growth-related pupils by EDC review area. The form includes the net number of units, associated pupil yields and the number of pupils by density type for both the elementary and secondary panels. The bottom of the form provides the total number of growth-related pupils less any existing available space to determine the total “net” growth-related pupils.

## **FORM F**

These forms provide the total “net” growth-related pupil places on a review area basis. Each form provides a projection of the existing community enrolment by school for each of the 15 years in the EDC forecast as well as their current OTG capacities. In addition, the total projected enrolment expected from new development is provided for the total review area. The total requirements from new development less any available existing space are the net growth-related pupil places for that review area.

## **FORM G**

Form G highlights the EDC-eligible sites that the board is proposing to purchase. Each site listing includes information on location, status, proposed school size and site size. The form also provides information on what percentage of each site is EDC eligible based on eligible pupil places as a percentage of the total proposed capacity of the school. In addition to providing site and eligibility information, Form G is noteworthy because it includes the translation from site requirements to site costs. On a site by site basis the form highlights the expected per acre acquisition costs, site development costs as well as associated escalation and financing costs.

## **FORM H1 or H2**

These forms outline the EDC calculation – Form H1 is used for a uniform EDC rate and Form H2 is used if the board is proposing a differentiated EDC rate. This EDC analysis assumes a uniform rate and includes Form H1. This form includes all relevant



information needed to calculate the final EDC. The total education land costs (derived from Form G) are added to any existing EDC financial obligations (Form A2) and study costs to determine the growth-related net education land costs for which EDCs may be collected. These costs must then be allocated to the proposed residential and non-residential splits. The amount determined to be borne by residential development (between 60% and 100%) is divided by the total net new units to determine a residential charge by unit.



**Brant Haldimand Norfolk Catholic District School Board**  
**Education Development Charge Forms Submission**  
**The County of Brant and City of Brantford**

**Brant Haldimand Norfolk Catholic District School Board  
 Education Development Charges Submission 2023  
 Form A - Eligibility to Impose an EDC**

**A.1.1: CAPACITY TRIGGER CALCULATION - ELEMENTARY PANEL**

Elementary Panel Board-Wide EDC Capacity	Projected Elementary Panel Enrolment						Elementary Average Projected Enrolment less Capacity
	Year 1 2023/ 2024	Year 2 2024/ 2025	Year 3 2025/ 2026	Year 4 2026/ 2027	Year 5 2027/ 2028	Average Projected Enrolment Over Five Years	
7,756.0	7,990	8,271	8,556	8,797	9,074	8,537	781

**A.1.2: CAPACITY TRIGGER CALCULATION - SECONDARY PANEL**

Secondary Panel Board-Wide EDC Capacity	Projected Secondary Panel Enrolment						Secondary Average Projected Enrolment less Capacity
	Year 1 2023/ 2024	Year 2 2024/ 2025	Year 3 2025/ 2026	Year 4 2026/ 2027	Year 5 2027/ 2028	Average Projected Enrolment Over Five Years	
3,402.0	4,272	4,298	4,354	4,512	4,661	4,419	1,017

**A.2: EDC FINANCIAL OBLIGATIONS**

Total Outstanding EDC Financial Obligations (Reserve Fund Balance):	\$ 5,837,150
---	--------------



**Brant Haldimand Norfolk Catholic District School Board  
Education Development Charges Submission 2023  
Form B - Dwelling Unit Summary**

**PROJECTION OF GROSS NEW DWELLING UNITS BY MUNICIPALITY**

	Year 1 2023/ 2024	Year 2 2024/ 2025	Year 3 2025/ 2026	Year 4 2026/ 2027	Year 5 2027/ 2028	Year 6 2028/ 2029	Year 7 2029/ 2030	Year 8 2030/ 2031	Year 9 2031/ 2032	Year 10 2032/ 2033	Year 11 2033/ 2034	Year 12 2034/ 2035	Year 13 2035/ 2036	Year 14 2036/ 2037	Year 15 2037/ 2038	Total All Units
<b>Brantford</b>																
Low Density	365	369	372	370	498	506	514	521	556	555	562	570	578	587	539	<b>7,462</b>
Medium Density	229	240	251	261	262	275	287	300	312	257	267	277	287	309	270	<b>4,086</b>
High Density	148	150	152	156	175	177	180	183	205	190	193	195	198	201	204	<b>2,706</b>
<b>Total</b>	<b>742</b>	<b>759</b>	<b>775</b>	<b>787</b>	<b>935</b>	<b>958</b>	<b>981</b>	<b>1,004</b>	<b>1,073</b>	<b>1,002</b>	<b>1,022</b>	<b>1,042</b>	<b>1,063</b>	<b>1,097</b>	<b>1,013</b>	<b>14,254</b>
<b>Brant County</b>																
Low Density	174	174	174	114	114	114	114	114	90	90	90	90	90	84	84	<b>1,710</b>
Medium Density	73	73	73	31	31	31	31	31	24	24	24	24	24	13	13	<b>518</b>
High Density	23	23	23	41	41	41	41	41	58	58	58	58	58	43	43	<b>648</b>
<b>Total</b>	<b>540</b>	<b>540</b>	<b>540</b>	<b>371</b>	<b>371</b>	<b>371</b>	<b>371</b>	<b>371</b>	<b>342</b>	<b>342</b>	<b>342</b>	<b>342</b>	<b>342</b>	<b>280</b>	<b>280</b>	<b>2,875</b>
<b>Total Jurisdiction</b>																
Low Density	539	543	546	484	612	620	628	635	646	645	652	660	668	671	623	<b>9,172</b>
Medium Density	302	313	324	292	293	306	318	331	336	281	291	301	311	322	283	<b>4,604</b>
High Density	171	173	175	197	216	218	221	224	262	247	250	252	255	244	247	<b>3,353</b>
<b>Total</b>	<b>1,012</b>	<b>1,029</b>	<b>1,045</b>	<b>973</b>	<b>1,121</b>	<b>1,144</b>	<b>1,167</b>	<b>1,190</b>	<b>1,244</b>	<b>1,173</b>	<b>1,193</b>	<b>1,213</b>	<b>1,234</b>	<b>1,237</b>	<b>1,153</b>	<b>17,129</b>

**Brant Haldimand Norfolk Catholic District School Board  
 Education Development Charges Submission 2023  
 Form C - Net New Dwelling Units - By-Law Summary**

<b>Municipality</b>	<b>Number of Units</b>
Brantford	14,254
Brant County	2,875
<b>Grand Total Gross New Units In By-Law Area</b>	<b>17,129</b>
<b>Less: Statutorily Exempt Units In By-Law Area</b>	<b>223</b>
<b>Total Net New Units In By-Law Area</b>	<b>16,906</b>

Brant Haldimand Norfolk Catholic District School Board

Education Development Charges Submission 2023

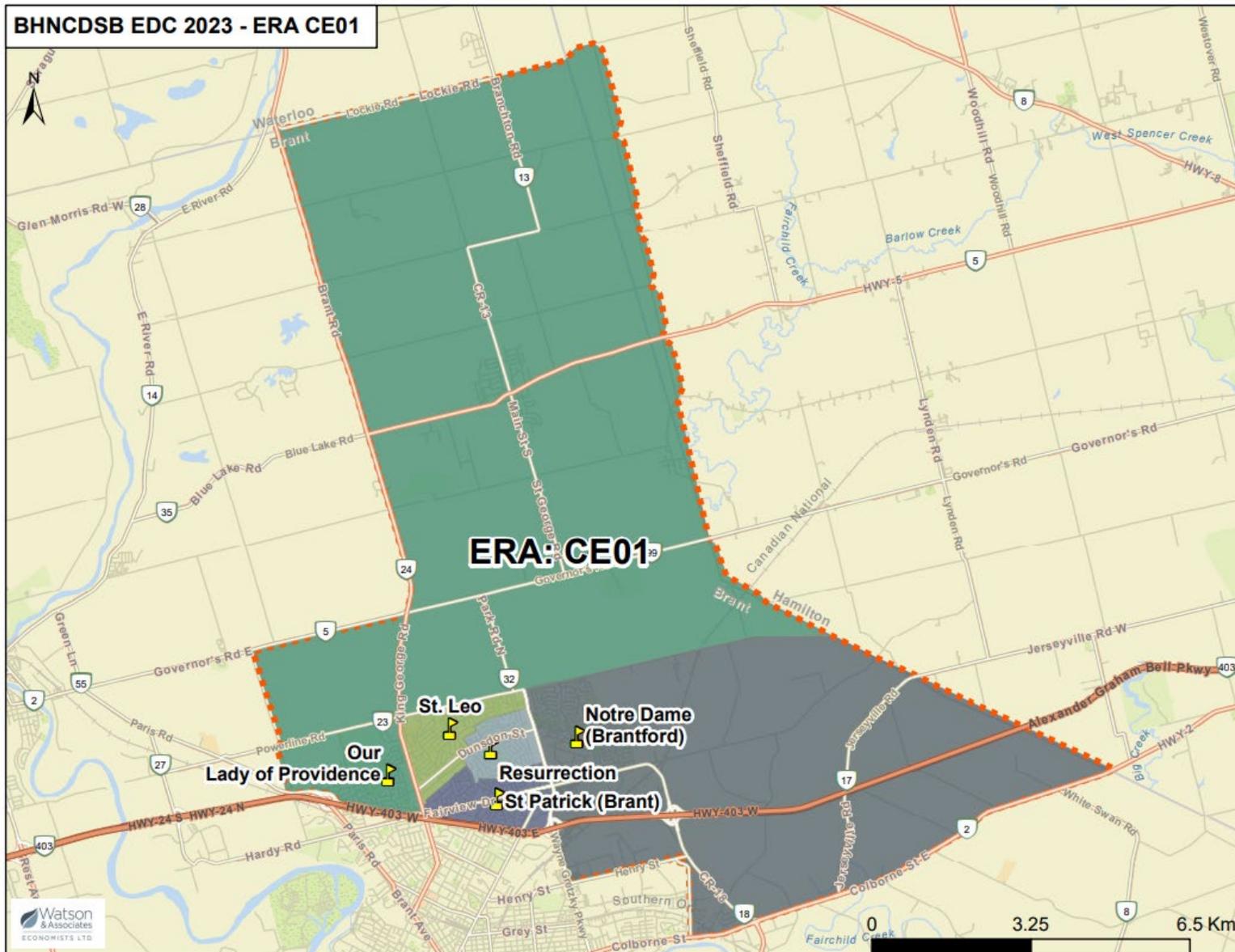
Form E - Growth Related Pupils - Elementary Panel

Form E - Growth Related Pupils - Secondary Panel

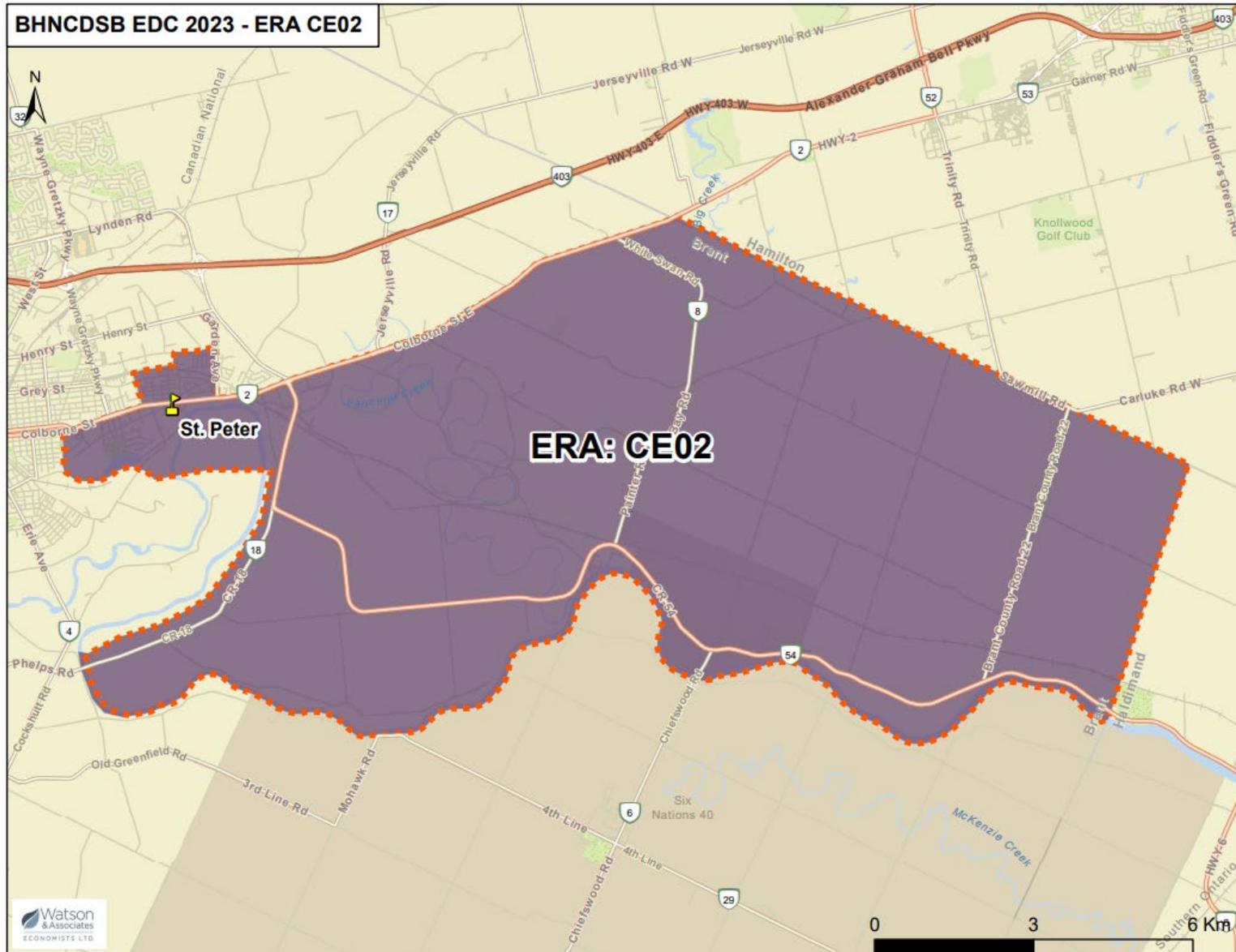
Municipality	Dwelling Unit Type	Net New Units	Elementary Pupil Yield	Elementary Growth-Related Pupils
Brantford	Low Density	7,462	0.200	1,495
	Medium Density	3,888	0.101	395
	High Density	2,706	0.031	83
	Total	14,056	0.140	1,972
Brant County	Low Density	1,710	0.152	260
	Medium Density	493	0.090	44
	High Density	648	0.028	18
	Total	2,850	0.113	322
SUBTOTAL:				2,295
LESS: Available Pupil Places:				198
NET GROWTH RELATED PUPILS:				2,097

Municipality	Dwelling Unit Type	Net New Units	Secondary Pupil Yield	Secondary Growth-Related Pupils
BRANTFORD/BRANT	Low Density	9,172	0.083	761
	Medium Density	4,381	0.051	225
	High Density	3,353	0.015	50
	Total	16,906	0.061	1,035
SUBTOTAL:				1,035
LESS: Available Pupil Places:				-
NET GROWTH RELATED PUPILS:				1,110



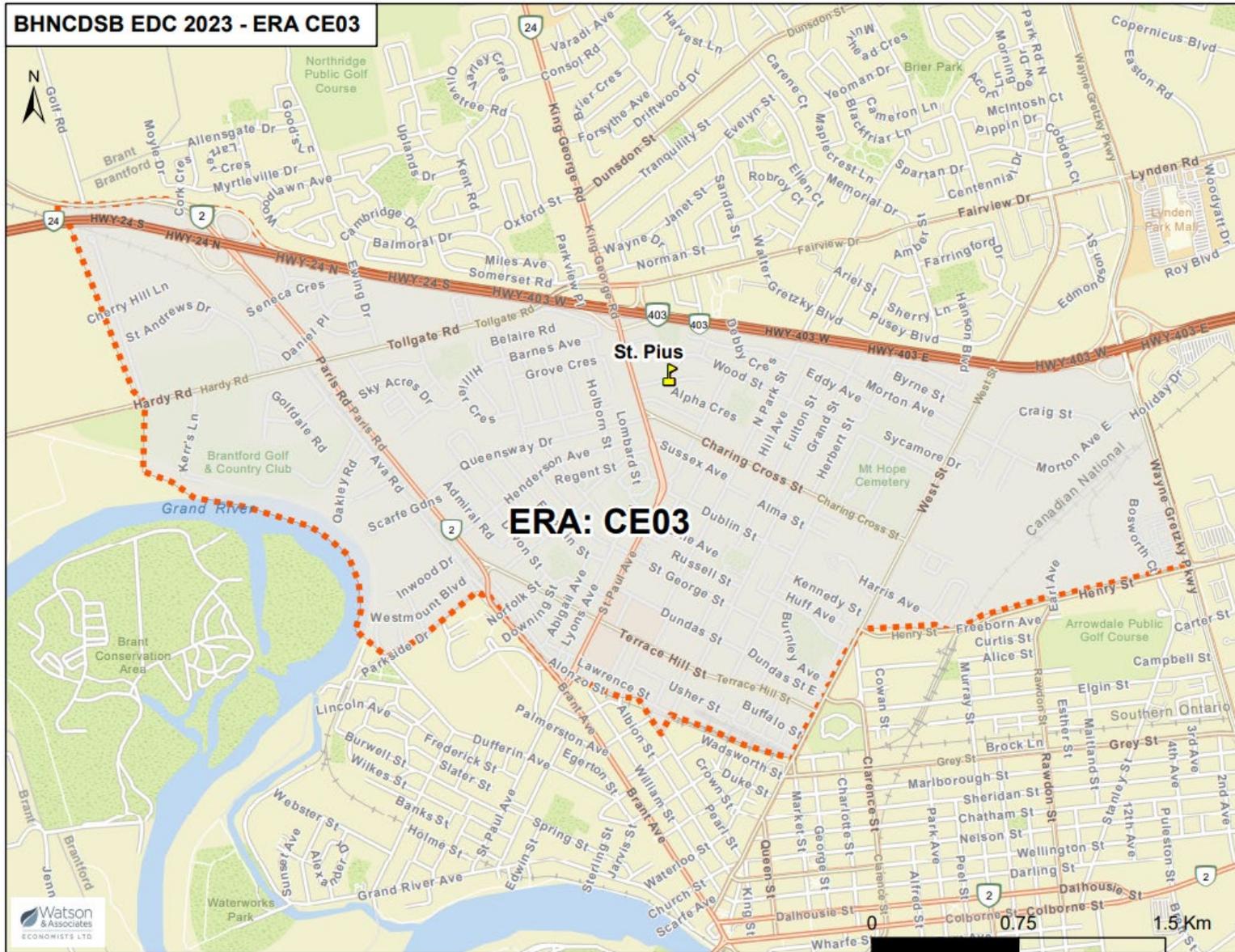




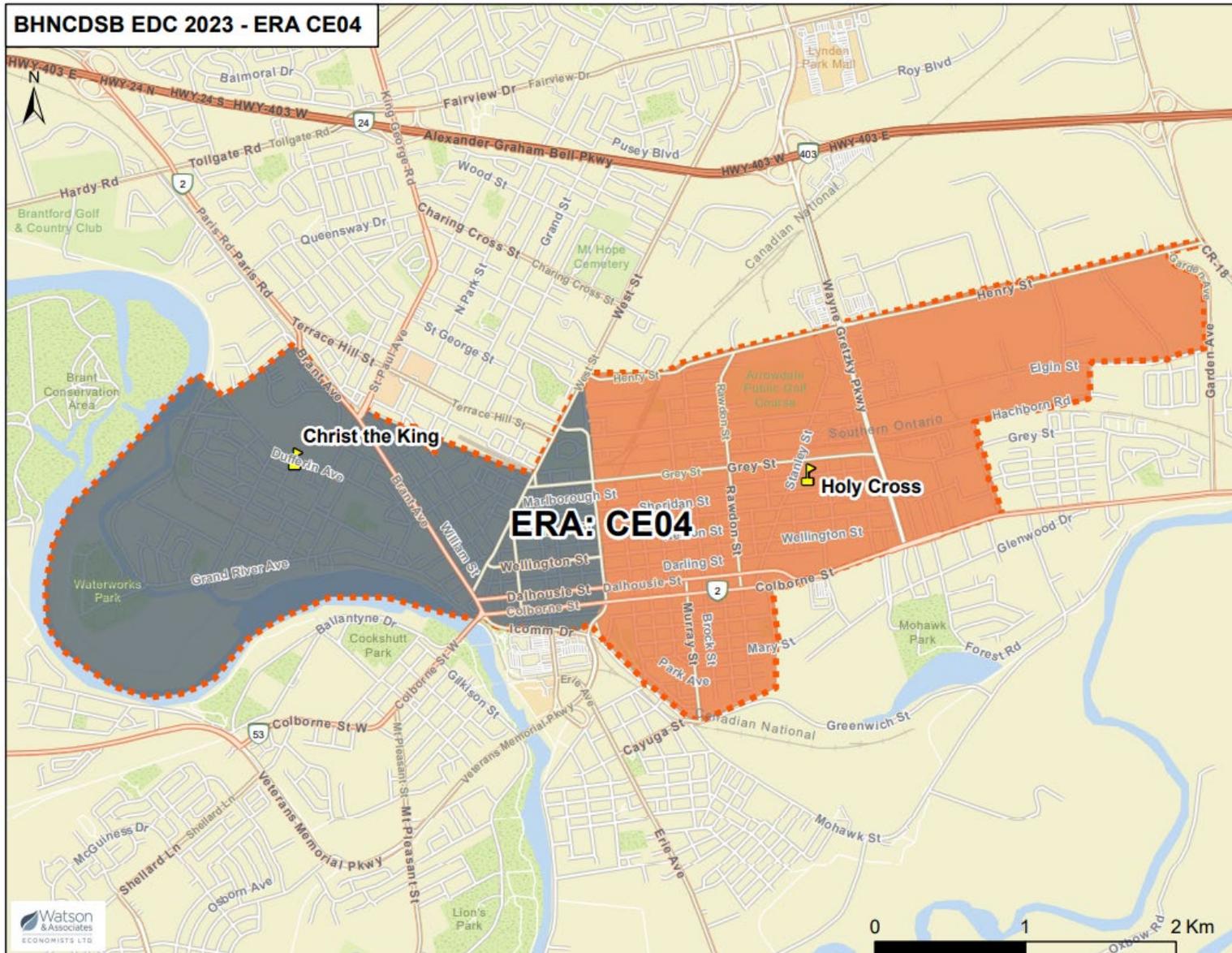




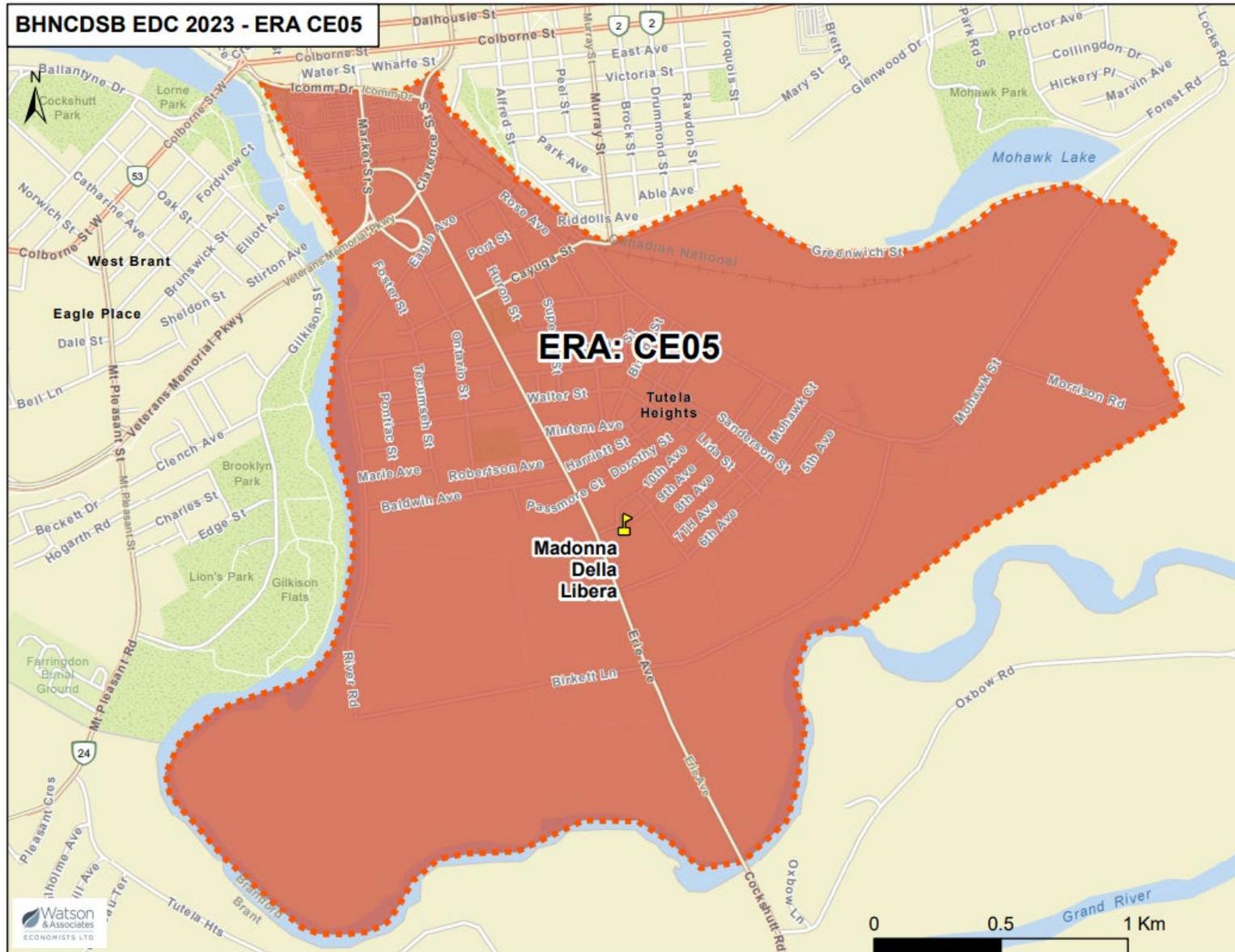




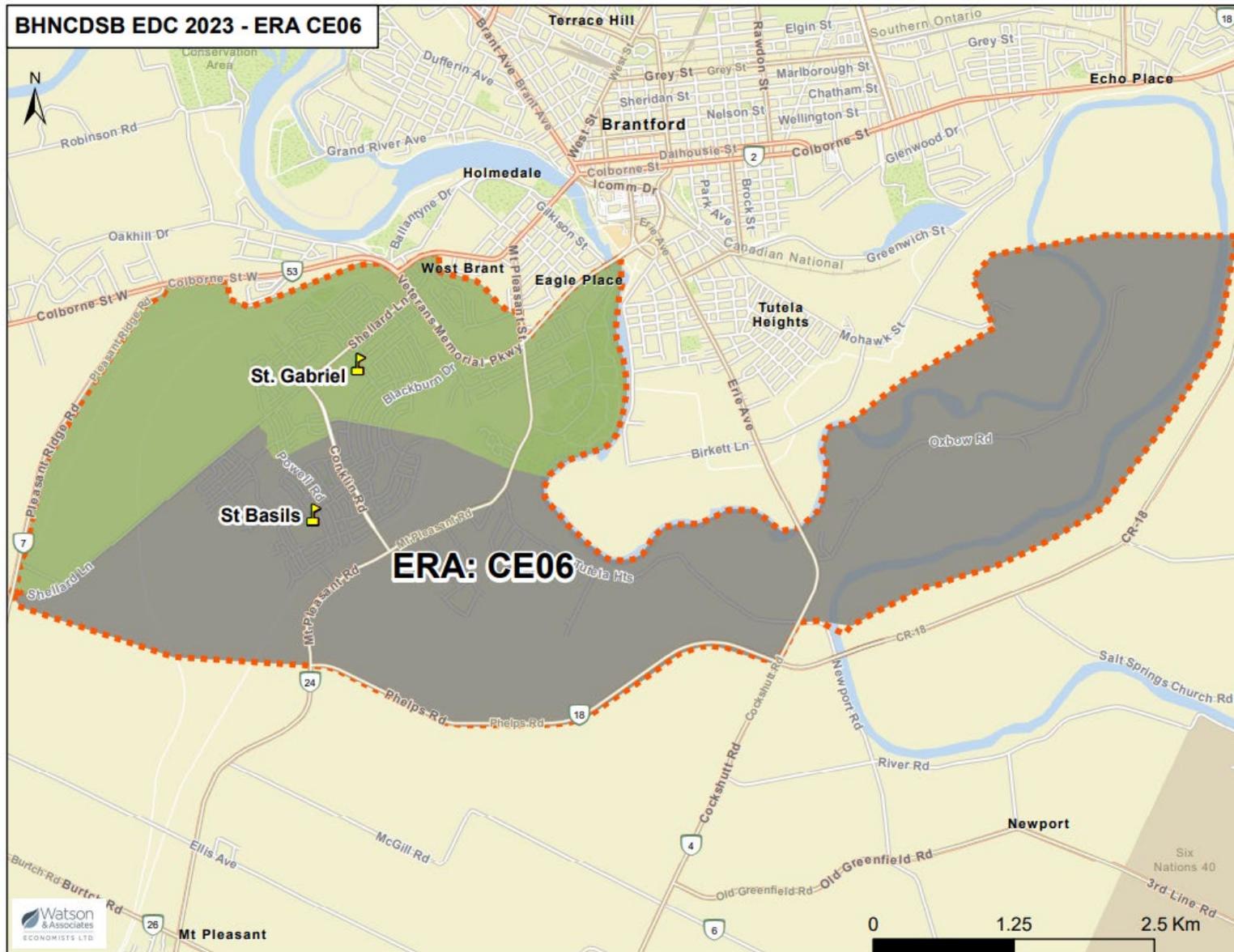






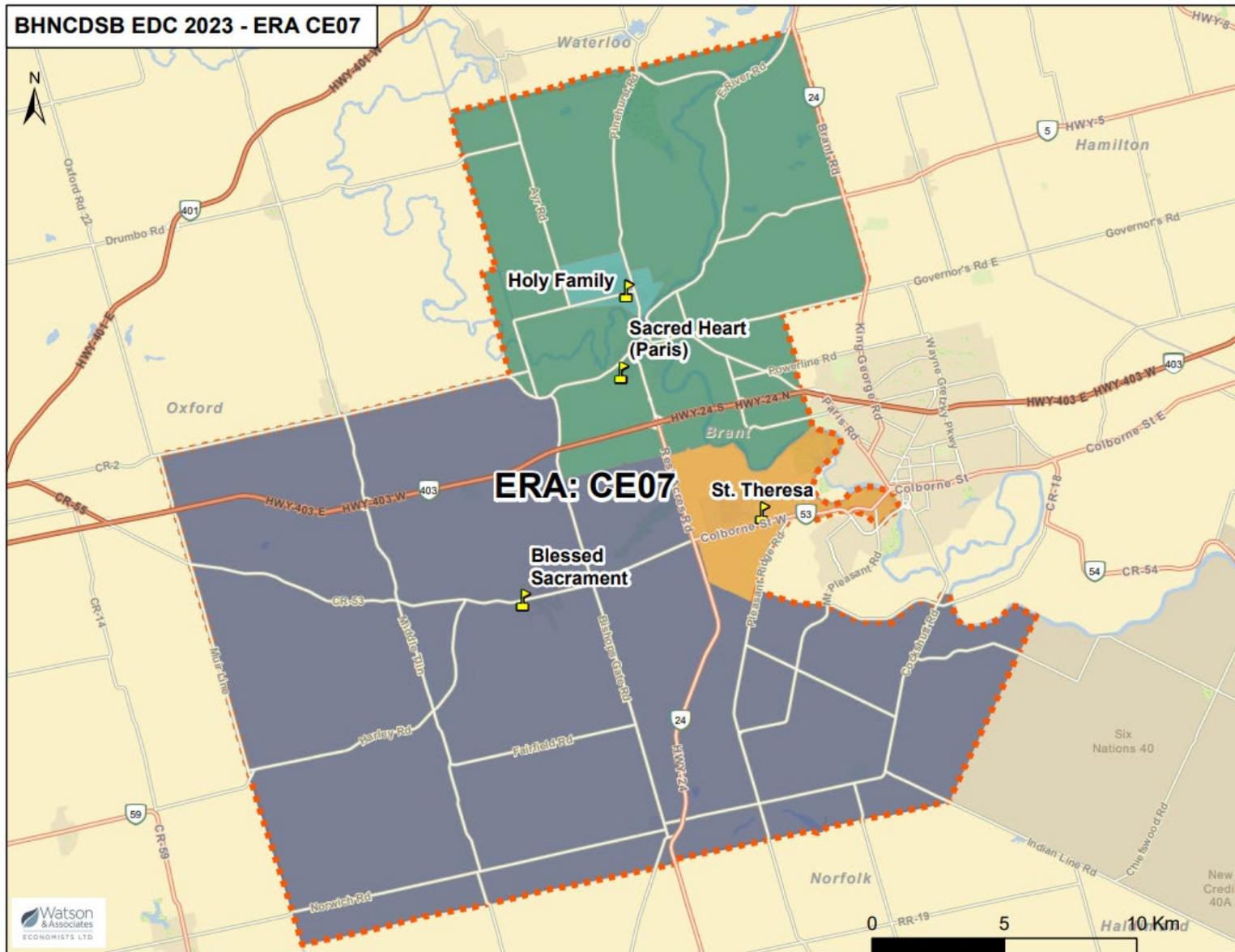
















Brant Haldimand Norfolk Catholic District School Board  
 Education Development Charges Submission 2023  
 Form G - Growth-Related Net Education Land Costs

ELEMENTARY PANEL

Review Area	Site Status (Optioned, Purchased, Reserved, Etc.)	Proposed Year Of Acquisition	Site Location/ Facility Type	Net Growth- Related Pupil Place Requirements	Proposed School Capacity	Percent of Capacity Attributed to Net Growth- Related Pupil Place Requirements	Total Number of Acres Required (Footnote Oversized Sites) *	Acreage To Be Funded in EDC By-Law Period	Cost Per Acre	Education Land Costs	Eligible Site Preparation Costs	Land Escalation Costs	Financing Costs	Total Education Land Costs
CE1	TBD	2030	New Elementary School North Brantford	377	501	75.26%	6.00	4.52	\$ 1,223,000	\$ 5,522,487	\$ 237,698	\$ 574,785	\$ 1,575,793	\$ 7,910,763
CE2			Accommodation in existing facilities, additions or future facilities	20										
CE4			Accommodation in existing facilities, additions or future facilities	44										
CE5			Accommodation in existing facilities, additions or future facilities	106										
CE6	Site Purchase Discussions	2024	New Elementary School SW Brantford	501	501	100.00%	6.00	6.00	\$ 1,294,000	\$ 7,764,000	\$ 267,401	\$ 155,280	\$ 2,036,397	\$ 10,223,078
CE6	Option in Progress	2030	New Elementary School SW Brantford	496	501	98.99%	6.00	5.94	\$ 1,263,000	\$ 7,501,698	\$ 312,688	\$ 781,526	\$ 2,138,191	\$ 10,734,103
CE7	Option in Progress	2024	New Elementary School Paris	501	501	100.00%	6.00	6.00	\$ 1,219,000	\$ 7,314,000	\$ 267,401	\$ 146,280	\$ 1,922,223	\$ 9,649,904
CE7			Accommodation in existing facilities, additions or future facilities	51										
<b>Total:</b>				<b>2,097</b>	<b>2,004</b>		<b>24</b>	<b>22</b>		<b>\$ 22,579,698</b>	<b>1,085,188</b>	<b>1,657,871</b>	<b>7,672,605</b>	<b>\$ 38,517,849</b>

SECONDARY PANEL

Review Area	Site Status (Optioned, Purchased, Reserved, Etc.)	Proposed Year Of Acquisition	Facility Type	Net Growth- Related Pupil Place Requirements	Proposed School Capacity	Percent of Capacity Attributed to Net Growth- Related Pupil Place Requirements	Total Number of Acres Required (Footnote Oversized Sites)	Acreage To Be Funded in EDC By-Law Period	Cost Per Acre	Education Land Costs	Eligible Site Preparation Costs	Land Escalation Costs	Financing Costs	Total Education Land Costs
CS1	Conditional Purchase Agreement	2024	New Secondary School Brantford	1,110	1110	100.00%	17.00	17.00	\$ 580,000	\$ 9,860,000	\$ 757,637	\$ 197,200	\$ 2,690,138	\$ 13,504,975
<b>Total:</b>				<b>1,110</b>	<b>1,110</b>		<b>17.00</b>	<b>17.00</b>		<b>\$ 9,860,000</b>	<b>\$ 757,637</b>	<b>\$ 197,200</b>	<b>\$ 2,690,138</b>	<b>\$ 13,504,975</b>

**Brant Haldimand Norfolk Catholic District School Board  
 Education Development Charges Submission 2023  
 Form H1 - EDC Calculation - Uniform Residential and Non-Residential**

**Determination of Total Growth-Related Net Education Land Costs**

Total:	Education Land Costs (Form G)	\$	52,022,824
Add:	EDC Financial Obligations (Form A2)	-\$	5,837,150
<b>Subtotal:</b>	<b>Net Education Land Costs</b>	<b>\$</b>	<b>46,185,674</b>
Add:	EDC Study Costs	\$	300,000
<b>Total:</b>	<b>Growth-Related Net Education Land Costs</b>	<b>\$</b>	<b>46,485,674</b>

**Apportionment of Total Growth-Related Net Education Land Costs**

Total Growth-Related Net Education Land Costs to be Attributed to Non-Residential Development (Maximum 40%)	0%	\$	-
Total Growth-Related Net Education Land Costs to be Attributed to Residential Development	100%	\$	46,485,674

**Calculation of Uniform Residential Charge**

Residential Growth-Related Net Education Land Costs	\$	46,485,674
Net New Dwelling Units (Form C)		16,906
Uniform Residential EDC per Dwelling Unit	\$	2,750

**Brant Haldimand Norfolk Catholic District School Board  
 Education Development Charges Submission 2023  
 Form H2 - EDC Calculation - Differentiated Residential and Non-Residential (Part 1 of 2)**

**Determination of Total Growth-Related Net Education Land Costs**

Total:	Education Land Costs (Form G)	\$ 52,022,824
Add:	EDC Financial Obligations (Form A2)	-\$ 5,837,150.00
<b>Subtotal:</b>	<b>Net Education Land Costs</b>	<b>\$ 46,185,674</b>
Less:	Operating Budget Savings	
	Positive EDC Reserve Fund Balance	
<b>Subtotal:</b>	<b>Growth-Related Net Education Land Costs</b>	<b>\$ 46,185,674</b>
Add:	EDC Study Costs	\$ 300,000.00
<b>Total:</b>	<b>Growth-Related Net Education Land Costs</b>	<b>\$ 46,485,674</b>

**Apportionment of Total Growth-Related Net Education Land Costs**

<b>Total Growth-Related Net Education Land Costs to be Attributed to Non-Residential Development (Maximum 40%)</b>	<b>0%</b>	<b>\$ -</b>
<b>Total Growth-Related Net Education Land Costs to be Attributed to Residential Development</b>	<b>100%</b>	<b>\$ 46,485,674</b>

Brant Haldimand Norfolk Catholic District School Board  
 Education Development Charges Submission 2023  
 Form H2 - EDC Calculation - Differentiated Residential and Non-Residential (Part 2 of 2)

**Residential Growth-Related Net Education Land Costs: \$ 46,485,674**

**Determination of Distribution of New Development**

Type of Development (Form B)	Net New Units (Form B & C)	15-Year Elementary Pupil Yield (Form E)	Elementary Gross Requirements of New Development	Distribution of Elementary Gross Requirements of New Development	15-Year Secondary Pupil Yield (Form E)	Secondary Gross Requirements of New Development	Distribution of Secondary Gross Requirements of New Development	Total Gross Requirements of New Development	Distribution Factor
Low Density	9,172	0.191	1,754	76.5%	0.083	761	73%	2,515	76%
Medium Density	4,381	0.100	439	19.1%	0.051	225	22%	664	20%
High Density	3,353	0.030	101	4.4%	0.015	50	5%	151	5%
<b>Total</b>	<b>16,906</b>	<b>0.1357</b>	<b>2,295</b>	<b>100%</b>	<b>0.0612</b>	<b>1,035</b>	<b>100%</b>	<b>3,330</b>	<b>100%</b>

**Calculation of Differentiated Charge:**

Type of Development (Form B)	Apportionment of Residential Net Education Land Cost By Development Type	Net New Units (Carried over from above)	Differentiated Residential EDC per Unit by Development Type
Low Density	\$ 35,114,203	9,172	\$ 3,828
Medium Density	\$ 9,268,320	4,381	\$ 2,115
High Density	\$ 2,103,151	3,353	\$ 627



# Appendix B

## DRAFT By-Law



**BRANT HALDIMAND NORFOLK  
CATHOLIC DISTRICT SCHOOL BOARD  
EDUCATION DEVELOPMENT CHARGES BY-LAW NO. 2023-A3**

A by-law for the imposition of education development charges in the City of Brantford and in the County of Brant.

**PREAMBLE**

1. Section 257.54(1) of the Education Act (the “Act”) enables a district school board to pass by-laws for the imposition of education development charges against land if there is residential development in its area of jurisdiction that would increase education land costs and the residential development requires one or more of the actions identified in section 257.54(2);
2. The Brant Haldimand Norfolk Catholic District School Board (the “Board”) has determined that the residential development of land to which this by-law applies increases education land costs;
3. Section 257.54(4) of the Act provides that an education development charge by-law may apply to the entire area of jurisdiction of a board or only part of it;
4. On October **XXX**, 2023, the Minister of Education approved the Board’s estimates which are prescribed under Section 10, paragraph 1 of Ontario Regulation 20/98;
5. The estimated average number of elementary and secondary school pupils of the Board over the five years immediately following the day this by-law comes into force will exceed the total capacity of the Board to accommodate elementary and secondary school pupils throughout its jurisdiction on the day this by-law is passed;
6. The Board has given a copy of the education development charges background study relating to this by-law to the Minister of Education and Training and to each school board having jurisdiction within the area to which this by-law applies in accordance with section 10 of Ontario Regulation 20/98;
7. The Board has given notice and held public meetings on September 18, 2023 and October 10, 2023, in accordance with sections 257.60(2) and 257.63(1) of the Act and permitted any person who attended the public meetings to make representations in respect of the Board’s education development charge policies and the proposed education development charges by-law; and
8. The Board has determined in accordance with section 257.63(3) of the Act that a further public meeting is not necessary in respect of this by-law.

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

**PART 1  
APPLICATION**

**Defined Terms**

1. In this by-law:
  - (a) "Act" means the *Education Act*;
  - (b) "Board" means the Brant Haldimand Norfolk Catholic District School Board;
  - (c) "development" includes redevelopment, and additional development on the same property;
  - (d) "dwelling unit" means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons, and shall include, but is not limited to, a dwelling unit or units in an apartment, group home, mobile home, duplex, triplex, semi detached dwelling, single detached dwelling, stacked townhouse and townhouse;
  - (e) "education land costs" means costs incurred or proposed to be incurred by the Board,
    - (i) to acquire land or an interest in land, including a leasehold interest, to be used by the Board to provide pupil accommodation;
    - (ii) to provide services to the land or otherwise prepare the site so that a building or buildings may be built on the land to provide pupil accommodation;
    - (iii) to prepare and distribute education development charge background studies as required under the Act;
    - (iv) as interest on money borrowed or pay for costs described in paragraphs (i) and (ii); and
    - (v) to undertake studies in connection with an acquisition referred to in paragraph (i).
  - (f) "education development charge" means charges imposed pursuant to this by-law in accordance with the Act;
  - (g) "farm building" means a building or structure located on a farm which is necessary and ancillary to a farm operation including barns, tool sheds and silos and other farm related structures for such purposes as sheltering of livestock or poultry, storage of farm produce and feed, and storage of farm related machinery and equipment used as part of a bona fide farming operation but shall not include a dwelling unit or other structure used for residential accommodation or any buildings

or parts thereof used for other commercial, industrial or institutional purposes qualifying as non-residential development;

- (h) “gross floor area” means the total floor area, measured between the outside of the exterior walls or between the centre line of party walls dividing the building from another building, of all floors above the average level or finished ground adjoining the building at its exterior walls;
  - (i) “local board” means a local board as defined in the *Municipal Affairs Act*, other than a district school board defined in section 257.53 (1) of the Act
  - (j) “mixed use” means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential use;
  - (k) “municipality” means the City of Brantford or the County of Brant as the context requires;
  - (l) “non-residential use” means lands, buildings or structures or portions thereof used, or designed or intended for all uses other than residential use, and includes, but is not limited to, an office, retail, industrial or institutional use;
  - (m) “residential development” means lands, buildings or structures developed or to be developed for residential use;
  - (n) “residential use” means lands, buildings or structures used, or designed or intended for use as a dwelling unit or units, and shall include a residential use accessory to a non-residential use and the residential component of a mixed use or of an agricultural use.
2. Unless otherwise expressly provided in this by-law, the definitions contained in the Act, or the regulations under the Act, shall have the same meanings in this by-law.
3. In this by-law where reference is made to a statute, a section of a statute or a regulation, such reference will be deemed to be a reference to any successor statute, section or regulation.

### **Lands Affected**

- 4. (a) Subject to subsections 4(b) to (f), 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. 210-2021 of the Corporation of the City of Brantford passed October 26, 2021, 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) an Indian reserve under the *Indian Act*, R.S.C. 1985, c.I-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 *Fixing Long-Term Care Act, 2021*;
  - (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*.
- (f) This by-law shall not apply to a farm building that is owned by and is used for the purposes of a bona fide farming operation.

**PART II  
EDUCATION DEVELOPMENT CHARGES**

5. In accordance with the Act and this by-law, and subject to sections 10 and 11 herein, the Board hereby imposes an education development charge against land undergoing residential development in the area of the by-law if the residential development requires any one of those actions set out in subsection 257.54(2) of the Act, namely:
- (a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
  - (b) the approval of a minor variance under section 45 of the *Planning Act*;
  - (c) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
  - (d) the approval of a plan of subdivision under section 51 of the *Planning Act*;
  - (e) a consent under section 53 of the *Planning Act*;
  - (f) the approval of a description under section 50 of the *Condominium Act, 1998*; or
  - (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure,

where a building permit issued in relation to a building or structure for below ground or above ground construction is issued on or after the date that this by-law comes into force.

6. (1) Education development charges shall be imposed against all lands, buildings or structures undergoing residential development if the development requires one or more of the actions referred to in section 5.
- (2) In respect of a particular development or redevelopment an education development charge will be collected once, but this does not prevent the application of this by-law to additional development or redevelopment on the same property.
7. Subject to the provisions of this by-law, education development charges shall be imposed upon all categories of residential development.
8. Subject to the provisions of this by-law, education development charges shall be imposed upon all residential uses of land, buildings or structures.
9. 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 15, 2023 to October 14, 2024 - \$1,708.00;
  - (ii) October 15, 2024 to October 14, 2025 - \$2,008.00;

- (iii) October 15, 2025 to October 14, 2026 - \$2,308.00;
- (v) October 15, 2026 to October 14, 2027 - \$2,608.00;
- (vi) October 15, 2027 to October 14, 2028 - \$2,750.00.

## **Exemptions**

10. (1) In this section,
- (a) “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;
  - (b) “other residential building” means a residential building not in another class of residential building described in this section;
  - (c) “semi-detached or row dwelling” means a residential building consisting of one dwelling unit having one or two vertical walls, but no other parts, attached to another building;
  - (d) “single detached dwelling” means a residential building consisting of one dwelling unit that is not attached to another building.
- (2) Subject to subsections (3) and (4), education development charges shall not be imposed with respect to,
- (a) the enlargement of an existing dwelling unit that does not create an additional dwelling unit;
  - (b) the creation of one or two additional dwelling units in an existing single detached dwelling; or
  - (c) the creation of one additional dwelling unit in an existing semi-detached dwelling, an existing row dwelling, or any other existing residential building.
- (3) Notwithstanding subsection (2)(b), education development charges shall be imposed in accordance with section 9 if the total gross floor area of the additional unit or two additional dwelling units exceeds the gross floor area of the existing single detached dwelling.
- (4) Notwithstanding subsection (2)(c), education development charges shall be imposed in accordance with section 9 if the additional dwelling unit has a gross floor area greater than,
- (a) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; or
  - (b) in the case of any other residential building, the gross floor area of the smallest dwelling unit already contained in the residential building.

11. (1) Education development charges under section 9 shall not be imposed with respect to the replacement, on the same site, of a dwelling unit that was destroyed by fire, demolition or otherwise, or that was so damaged by fire, demolition or otherwise as to render it uninhabitable.
  - (2) Notwithstanding subsection (1), education development charges shall be imposed in accordance with section 9 if the building permit for the replacement dwelling unit is issued more than 5 years after,
    - (a) the date the former dwelling unit was destroyed or became uninhabitable; or
    - (b) if the former dwelling unit was demolished pursuant to a demolition permit issued before the former dwelling unit was destroyed or became uninhabitable, the date the demolition permit was issued.
  - (3) Notwithstanding subsection (1), education development charges shall be imposed in accordance with section 9 against any dwelling unit or units on the same site in addition to the dwelling unit or units being replaced. The onus shall be on the applicant to produce evidence to the satisfaction of the Board, acting reasonably, to establish the number of dwelling units being replaced.
12. This section applies where an education development charge has previously been paid in respect of development on land and the land is being redeveloped, except where sections 10 and 11 apply:
    - (a) The education development charge payable in respect of the redevelopment shall be calculated under this by-law;
    - (b) The education development charge determined under paragraph (a) shall be reduced by a credit equivalent to the education development charge previously paid in respect of the land, provided that the credit shall not exceed the education development charge determined under paragraph (a); and
    - (c) Where the redevelopment applies to part of the land the amount of the credit shall be calculated on a proportionate basis having regard to the development permissions being displaced by the new development.

### **PART III ADMINISTRATION**

#### **Payment of Education Development Charges**

13. The education development charge in respect of a development is payable to the municipality in which the property is located on the date that a building permit is issued in relation to a building or structure on land to which the education development charge applies.
14. The treasurer of the Board shall establish and maintain an education development charge account in accordance with the Act, the regulation and this by-law.

**Payment by Services**

- 15. Subject to the requirements of the Act, the Board may by agreement permit an owner to provide land in lieu of the payment of all or any portion of an education development charge. In such event, the Board’s treasurer shall advise the treasurer of the municipality in which the land is situate of the amount of the credit to be applied to the education development charge.

**Collection of Unpaid Education Development Charges**

- 16. In accordance with section 257.96 of the Act, section 349 of the *Municipal Act, 2001*, S.O. 2001, c.25, applies with necessary modifications with respect to an education development charge or any part of it that remains unpaid after it is payable.

**Date By-law In Force**

- 17. This by-law shall come into force on October 15, 2023, and Board By-law No. 2018-A3, shall be repealed effective as of that same date.

**Date By-law Expires**

- 18. This by-law shall expire at the close of business on October 14, 2028, unless it is repealed at an earlier date.

**Severability**

- 19. Each of the provisions of this by-law are severable and if any provision hereof should for any reason be declared invalid by a court or tribunal, the remaining provisions shall remain in full force and effect.

**Interpretation**

- 20. Nothing in this by-law shall be construed so as to commit or require the Board to authorize or proceed with any particular capital project at any time.

**Short Title**

- 21. This by-law may be cited as the Brant Haldimand-Norfolk Catholic District School Board Education Development Charges By-law No. 2023-A3.

ENACTED AND PASSED this 10th day of October, 2023.

---

Rick Petrella  
Chair of the Board

---

Mike McDonald  
Director of Education and Secretary



**BRANT HALDIMAND NORFOLK  
CATHOLIC DISTRICT SCHOOL BOARD  
EDUCATION DEVELOPMENT CHARGES BY-LAW NO. 2023-A3**

A by-law for the imposition of education development charges in the City of Brantford and in the County of Brant.

**PREAMBLE**

1. Section 257.54(1) of the Education Act (the “Act”) enables a district school board to pass by-laws for the imposition of education development charges against land if there is residential development in its area of jurisdiction that would increase education land costs and the residential development requires one or more of the actions identified in section 257.54(2);
2. The Brant Haldimand Norfolk Catholic District School Board (the “Board”) has determined that the residential development of land to which this by-law applies increases education land costs;
3. Section 257.54(4) of the Act provides that an education development charge by-law may apply to the entire area of jurisdiction of a board or only part of it;
4. On October **XXX**, 2023, the Minister of Education approved the Board’s estimates which are prescribed under Section 10, paragraph 1 of Ontario Regulation 20/98;
5. The estimated average number of elementary and secondary school pupils of the Board over the five years immediately following the day this by-law comes into force will exceed the total capacity of the Board to accommodate elementary and secondary school pupils throughout its jurisdiction on the day this by-law is passed;
6. The Board has given a copy of the education development charges background study relating to this by-law to the Minister of Education and Training and to each school board having jurisdiction within the area to which this by-law applies in accordance with section 10 of Ontario Regulation 20/98;
7. The Board has given notice and held public meetings on September 18, 2023 and October 10, 2023, in accordance with sections 257.60(2) and 257.63(1) of the Act and permitted any person who attended the public meetings to make representations in respect of the Board’s education development charge policies and the proposed education development charges by-law; and
8. The Board has determined in accordance with section 257.63(3) of the Act that a further public meeting is not necessary in respect of this by-law.

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

**PART 1  
APPLICATION**

**Defined Terms**

1. In this by-law:
  - (a) "Act" means the *Education Act*;
  - (b) "Board" means the Brant Haldimand Norfolk Catholic District School Board;
  - (c) "development" includes redevelopment, and additional development on the same property;
  - (d) "dwelling unit" means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons, and shall include, but is not limited to, a dwelling unit or units in an apartment, group home, mobile home, duplex, triplex, semi detached dwelling, single detached dwelling, stacked townhouse and townhouse;
  - (e) "education land costs" means costs incurred or proposed to be incurred by the Board,
    - (i) to acquire land or an interest in land, including a leasehold interest, to be used by the Board to provide pupil accommodation;
    - (ii) to provide services to the land or otherwise prepare the site so that a building or buildings may be built on the land to provide pupil accommodation;
    - (iii) to prepare and distribute education development charge background studies as required under the Act;
    - (iv) as interest on money borrowed or pay for costs described in paragraphs (i) and (ii); and
    - (v) to undertake studies in connection with an acquisition referred to in paragraph (i).
  - (f) "education development charge" means charges imposed pursuant to this by-law in accordance with the Act;
  - (g) "farm building" means a building or structure located on a farm which is necessary and ancillary to a farm operation including barns, tool sheds and silos and other farm related structures for such purposes as sheltering of livestock or poultry, storage of farm produce and feed, and storage of farm related machinery and equipment used as part of a bona fide farming operation but shall not include a dwelling unit or other structure used for residential accommodation or any buildings

or parts thereof used for other commercial, industrial or institutional purposes qualifying as non-residential development;

- (h) “gross floor area” means the total floor area, measured between the outside of the exterior walls or between the centre line of party walls dividing the building from another building, of all floors above the average level or finished ground adjoining the building at its exterior walls;
  - (i) “local board” means a local board as defined in the *Municipal Affairs Act*, other than a district school board defined in section 257.53 (1) of the Act
  - (j) “mixed use” means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential use;
  - (k) “municipality” means the City of Brantford or the County of Brant as the context requires;
  - (l) “non-residential use” means lands, buildings or structures or portions thereof used, or designed or intended for all uses other than residential use, and includes, but is not limited to, an office, retail, industrial or institutional use;
  - (m) “residential development” means lands, buildings or structures developed or to be developed for residential use;
  - (n) “residential use” means lands, buildings or structures used, or designed or intended for use as a dwelling unit or units, and shall include a residential use accessory to a non-residential use and the residential component of a mixed use or of an agricultural use.
2. Unless otherwise expressly provided in this by-law, the definitions contained in the Act, or the regulations under the Act, shall have the same meanings in this by-law.
3. In this by-law where reference is made to a statute, a section of a statute or a regulation, such reference will be deemed to be a reference to any successor statute, section or regulation.

### **Lands Affected**

4. (a) Subject to subsections 4(b) to (f), 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. 210-2021 of the Corporation of the City of Brantford passed October 26, 2021, 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) an Indian reserve under the *Indian Act*, R.S.C. 1985, c.I-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 *Fixing Long-Term Care Act, 2021*;
  - (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*.
- (f) This by-law shall not apply to a farm building that is owned by and is used for the purposes of a bona fide farming operation.
-

**PART II**  
**EDUCATION DEVELOPMENT CHARGES**

5. In accordance with the Act and this by-law, and subject to sections 10 and 11 herein, the Board hereby imposes an education development charge against land undergoing residential development in the area of the by-law if the residential development requires any one of those actions set out in subsection 257.54(2) of the Act, namely:
- (a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
  - (b) the approval of a minor variance under section 45 of the *Planning Act*;
  - (c) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
  - (d) the approval of a plan of subdivision under section 51 of the *Planning Act*;
  - (e) a consent under section 53 of the *Planning Act*;
  - (f) the approval of a description under section 50 of the *Condominium Act, 1998*; or
  - (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure,

where a building permit issued in relation to a building or structure for below ground or above ground construction is issued on or after the date that this by-law comes into force.

6. (1) Education development charges shall be imposed against all lands, buildings or structures undergoing residential development if the development requires one or more of the actions referred to in section 5.
- (2) In respect of a particular development or redevelopment an education development charge will be collected once, but this does not prevent the application of this by-law to additional development or redevelopment on the same property.
7. Subject to the provisions of this by-law, education development charges shall be imposed upon all categories of residential development.
8. Subject to the provisions of this by-law, education development charges shall be imposed upon all residential uses of land, buildings or structures.
9. 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 15, 2023 to October 14, 2024 - \$1,708.00;
  - (ii) October 15, 2024 to October 14, 2025 - \$2,008.00;

- (iii) October 15, 2025 to October 14, 2026 - \$2,308.00;
- (v) October 15, 2026 to October 14, 2027 - \$2,608.00;
- (vi) October 15, 2027 to October 14, 2028 - \$2,750.00.

## **Exemptions**

- 10. (1) In this section,
  - (a) “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;
  - (b) “other residential building” means a residential building not in another class of residential building described in this section;
  - (c) “semi-detached or row dwelling” means a residential building consisting of one dwelling unit having one or two vertical walls, but no other parts, attached to another building;
  - (d) “single detached dwelling” means a residential building consisting of one dwelling unit that is not attached to another building.
- (2) Subject to subsections (3) and (4), education development charges shall not be imposed with respect to,
  - (a) the enlargement of an existing dwelling unit that does not create an additional dwelling unit;
  - (b) the creation of one or two additional dwelling units in an existing single detached dwelling; or
  - (c) the creation of one additional dwelling unit in an existing semi-detached dwelling, an existing row dwelling, or any other existing residential building.
- (3) Notwithstanding subsection (2)(b), education development charges shall be imposed in accordance with section 9 if the total gross floor area of the additional unit or two additional dwelling units exceeds the gross floor area of the existing single detached dwelling.
- (4) Notwithstanding subsection (2)(c), education development charges shall be imposed in accordance with section 9 if the additional dwelling unit has a gross floor area greater than,
  - (a) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; or
  - (b) in the case of any other residential building, the gross floor area of the smallest dwelling unit already contained in the residential building.

11. (1) Education development charges under section 9 shall not be imposed with respect to the replacement, on the same site, of a dwelling unit that was destroyed by fire, demolition or otherwise, or that was so damaged by fire, demolition or otherwise as to render it uninhabitable.
  - (2) Notwithstanding subsection (1), education development charges shall be imposed in accordance with section 9 if the building permit for the replacement dwelling unit is issued more than 5 years after,
    - (a) the date the former dwelling unit was destroyed or became uninhabitable; or
    - (b) if the former dwelling unit was demolished pursuant to a demolition permit issued before the former dwelling unit was destroyed or became uninhabitable, the date the demolition permit was issued.
  - (3) Notwithstanding subsection (1), education development charges shall be imposed in accordance with section 9 against any dwelling unit or units on the same site in addition to the dwelling unit or units being replaced. The onus shall be on the applicant to produce evidence to the satisfaction of the Board, acting reasonably, to establish the number of dwelling units being replaced.
12. This section applies where an education development charge has previously been paid in respect of development on land and the land is being redeveloped, except where sections 10 and 11 apply:
    - (a) The education development charge payable in respect of the redevelopment shall be calculated under this by-law;
    - (b) The education development charge determined under paragraph (a) shall be reduced by a credit equivalent to the education development charge previously paid in respect of the land, provided that the credit shall not exceed the education development charge determined under paragraph (a); and
    - (c) Where the redevelopment applies to part of the land the amount of the credit shall be calculated on a proportionate basis having regard to the development permissions being displaced by the new development.

### **PART III ADMINISTRATION**

#### **Payment of Education Development Charges**

13. The education development charge in respect of a development is payable to the municipality in which the property is located on the date that a building permit is issued in relation to a building or structure on land to which the education development charge applies.
14. The treasurer of the Board shall establish and maintain an education development charge account in accordance with the Act, the regulation and this by-law.

**Payment by Services**

- 15. Subject to the requirements of the Act, the Board may by agreement permit an owner to provide land in lieu of the payment of all or any portion of an education development charge. In such event, the Board's treasurer shall advise the treasurer of the municipality in which the land is situate of the amount of the credit to be applied to the education development charge.

**Collection of Unpaid Education Development Charges**

- 16. In accordance with section 257.96 of the Act, section 349 of the *Municipal Act*, 2001, S.O. 2001, c.25, applies with necessary modifications with respect to an education development charge or any part of it that remains unpaid after it is payable.

**Date By-law In Force**

- 17. This by-law shall come into force on October 15, 2023, and Board By-law No. 2018-A3, shall be repealed effective as of that same date.

**Date By-law Expires**

- 18. This by-law shall expire at the close of business on October 14, 2028, unless it is repealed at an earlier date.

**Severability**

- 19. Each of the provisions of this by-law are severable and if any provision hereof should for any reason be declared invalid by a court or tribunal, the remaining provisions shall remain in full force and effect.

**Interpretation**

- 20. Nothing in this by-law shall be construed so as to commit or require the Board to authorize or proceed with any particular capital project at any time.

**Short Title**

- 21. This by-law may be cited as the Brant Haldimand-Norfolk Catholic District School Board Education Development Charges By-law No. 2023-A3.

ENACTED AND PASSED this 10th day of October, 2023.

---

Rick Petrella  
Chair of the Board

---

Mike McDonald  
Director of Education and Secretary