



- (a) “Act” means the *Education Act*, R.S.O. 1990, c.E.2, as amended, or a successor statute;
- (b) “agricultural building or structure” means a building or structure used, or designed or intended for use for the purpose of a bona fide farming operation including, but not limited to, animal husbandry, dairying, fallow, field crops, removal of sod, forestry, fruit farming, horticulture, market gardening, pasturage, poultry keeping and any other activities customarily carried on in the field of agriculture, but shall not include a dwelling unit or other structure used for residential accommodation or any building or structure or parts thereof used for other retail, commercial, office, industrial or institutional purposes which constitute non-residential development;
- (c) “Board” means the Dufferin-

- (ii) research or development in connection with manufacturing, producing or processing something,
- (iii) retail sales by a manufacturer, producer or processor of something they manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production or processing takes place,
- (iv) office or administrative purposes, if they are,
  - A. carried out with respect to manufacturing, producing, processing, storage or distributing of something, and
  - B. in or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution;
- (i) “gross floor area of non-residential development” means (except for the purposes of section 15 of this by-law) in the case of a non-residential building or structure or the non-residential portion of a mixed-use building or structure, 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 lthe1 a building or strue, 94 (nt)-2 (r)3 (e)4 sTJ0 Tw T(s)-1 (TJ0)3a6vtuor walls and ( c)-6 (i (lu(e)47 ( )TJ0.14 (m)-( out)-24 (ndf6TC /H2)-2 (r)3 (u)e(e)4 (, )TJ0.14





- b) the approval of a minor variance under section 45 of the *Planning Act*;
- c)

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7. Subject to the provisions of this by-law, education development charges shall be imposed upon all categories of residential development and non-residential development.
  8. Subject to the provisions of this by-law, education development charges shall be imposed





- (3) Notwithstanding section 11(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 is on the applicant to produce evidence to the satisfaction of the Board, acting reasonably, to establish the number of dwelling units being replaced.
- (4) Education development charges shall be imposed in accordance with section 12 where the dwelling unit described in section 11(1) is replaced by or converted to, in whole or in part, non-residential development.

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12. Subject to the provisions of this by-law, an education development charge per square foot of gross floor area of non-residential development shall be imposed upon the designated categories of non-residential development and the designated non-residential uses of land, buildings or structures and, in the case of a mixed use building or structure, upon the non-residential uses in the mixed-use building or structure.-

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- (3) Notwithstanding section 14(1), if the gross floor area of the non-residential part of the replacement building or structure exceeds the gross floor area of the non-residential part of the building or structure being replaced, education development charges shall be imposed in accordance with section 12 against the additional gross floor area. The onus is on the applicant to produce evidence to the satisfaction of the Board, acting reasonably, to establish the gross floor area of the non-residential building or structure being replaced.
  - (4) Education development charges shall be imposed in accordance with section 9 if the non-residential building or structure described in section 14(1) is replaced by or converted to, in whole or in part, a dwelling unit or units.
15. If a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the education development charge that is payable in respect of the enlargement shall be determined in accordance with the following rules:
- (a) if the gross floor area is enlarged by 50 per cent or less, the amount of the education development charge in respect of the enlargement is zero;
  - (b) if the gross floor area is enlarged by more than 50 per cent the amount of the education development charge in respect of the enlargement is the amount of the education development charge that would otherwise be payable multiplied by the fraction determined as follows:
    - (i) determine the amount by which the enlargement exceeds 50 per cent of the gross floor area before the enlargement;
    - (ii) divide the amount determined under paragraph (i) by the amount of the enlargement;
  - (c) in this section 15, “gross floor area” shall mean 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

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16. Education development charges are payable in full to the municipality in which the development takes place on the date a building permit is issued in relation to a building or structure on land to which this education development charge by-law applies.

17. The treasurer of the Board shall establish and maintain an educational development charge account in accordance with the Act, the Regulation and this by-law.

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18. Notwithstanding the payments required under section 16, and subject to section 257.84 of the Act, the Board may, by agreement, permit an owner to provide land for pupil accommodation in lieu of the payment of all or a part of the education development charges.

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19. Section 349 of the *Municipal Act, 2001* applies with necessary modifications with respect to an education development charge or any part of it that remains unpaid after it is payable.

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20. Schedule "A" attached to this by-law forms an integral part thereof.

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21. This by-law shall come into force on July 1, 2024.

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22. This by-law shall expire five years after the date it comes into force, unless it is repealed at an earlier date.

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23. The Dufferin-Peel Catholic District School Board Education Development Charges By-law 2019 (Region of Peel) is repealed on the day this by-law comes into force.

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24. In the event any provision, or part thereof, of this by-law is found by a court of competent jurisdiction to be ultra vires, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this by-law shall remain in full force and effect.

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

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26. This by-law may be cited as the Dufferin-Peel Catholic District School Board Education Development Charges By-Law, 2024 (Region of Peel).

ENACTED AND PASSED this 28<sup>th</sup> day of May, 2024.



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Chairperson



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Director of Education  
and Secretary

1. The lands contained within registered plan of subdivision 43M-983, City of Brampton, Regional Municipality of Peel.
2. The lands contained within registered plan of subdivision 43M-984, City of Brampton, Regional Municipality of Peel.