

THE CORPORATION OF THE TOWNSHIP OF WELLESLEY

By-law No. 12/2021

Being a By-law Regarding Development Charges to amend By-law 55/2019 to make certain revisions to the Township's development charges involving capital cost estimates and policies.

WHEREAS Section 19 of the *Development Charges Act*, 1997, S.O. 1997, c27 ("the Act") provides for amendments to be made to development charges by-laws;

AND WHEREAS the Council of the Corporation of the Township of Wellesley (hereinafter called "the Council") has determined that certain amendments should be made to the Development Charge By-law of the Corporation of the Township of Wellesley, being By-law 55/2019;

AND WHEREAS, in accordance with the Act, a development charges background study has been completed in respect of the proposed amendment;

AND WHEREAS the Council of the Corporation of the Township of Wellesley has given notice and held a public meeting in accordance with the Act; and

AND WHEREAS the Council, at its meeting of March 2, 2021, approved a report dated November 27, 2020 entitled "Township of Wellesley 2020 Development Charges Update Study".

Now therefore the Council of The Corporation of the Township of Wellesley hereby enacts as follows:

1. By-law 55/2019 is hereby amended as follows:
 - a. Subsection 3.6 f) (ii) and 3.6 f) (iii) are deleted and replaced with the following:
 - (ii) the creation of the first two additional dwelling units within or ancillary to a Single Detached dwelling unit; or
 - (iii) the creation of the first additional dwelling unit within or ancillary to a Semi-Detached, Multiple (or row) or Apartment building Detached dwelling unit; or
 - b. The following sections are added to the by-law:

3.6 g) the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1.	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new detached dwelling must only contain two dwelling units.</p> <p>The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
2.	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.</p> <p>The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
3.	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	<p>The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.</p> <p>The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.</p>

- 3.6 h) land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.
- 13.3 Notwithstanding subsection 13.1, development charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest in accordance with Subsection 13.6, payable on the anniversary date each year thereafter.
- 13.4 Notwithstanding subsections 13.1, development charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest in accordance with Subsection 13.6, payable on the anniversary date each year thereafter.
- 13.5 Notwithstanding subsection 13.1, where the development of land results from the approval of a Site Plan or Zoning By-law Amendment received on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the Development Charges under Section 2 shall be calculated based on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply, Development Charges under Section 2 shall be calculated on the rates, including interest in accordance with Subsection 13.6, set out in Schedule "B" on the date of the later planning application.
- 13.6 Interest for the purposes of subsections 13.3, 13.4, and 13.5 shall be determined as set out in the Township of Wellesley's Development Charges Interest Rate Policy as amended from time to time.
- 13.7 For the purposes of subsection 13.3 "institutional development" means development of a building or structure intended for use:

- (a) as a long-term care home within the meaning of subsection 2 (1) of the *Long Term Care Homes Act, 2007*;
- (b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (c) by any institution of the following post-secondary institutions for the objects of the institution:
 - i. a university in Ontario that receives direct, regular and ongoing operation funding from the Government of Ontario;
 - ii. a college or university federated or affiliated with a university described in subclause (i); or
 - iii. an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institute Act, 2017*;
- (d) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
- (e) as a hospice to provide end of life care;

13.8 For the purposes of subsection 13.3 “Rental housing” means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;

13.9 For the purposes of subsection 13.4 “Non-profit housing development” means development of a building or structure intended for use as residential premises by:

- (a) a corporation without share capital to which the *Corporations Act* applies, that is in good standing under that Act and whose primary objective is to provide housing;
- (b) a corporation without share capital to which the *Canada Not-for-profit Corporation Act* applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*;

- c. Section 5. is deleted.
- d. Schedule “A” is deleted and the attached Schedule “A” substitutes therefor
- e. Schedule “B” is deleted and the attached Schedule “B” substitutes therefor

2. This by-law shall come into force on the date of by-law passage.

Read a first and second time this 2nd day of March, 2021.



Mayor, Joe Nowak



Clerk, Grace Kosch

Read a third and final time and passed this 2nd day of March, 2021.



Mayor, Joe Nowak



Clerk, Grace Kosch

THE CORPORATION OF THE TOWNSHIP OF WELLESLEY

BY-LAW NO. 12/2021

SCHEDULE "A"

Services and Classes of Service

1. Roads and Related;
2. Fire Protection;
3. Parks and Recreation; and
4. Growth-Related Studies.

THE CORPORATION OF THE TOWNSHIP OF WELLESLEY

BY-LAW NO. 12/2021

SCHEDULE "B"

SCHEDULE OF DEVELOPMENT CHARGES

Service	RESIDENTIAL				NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Rows and Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	(per sq.m. of Gross Floor Area)
Municipal Wide Services:					
Roads and Related	3,777	2,766	2,418	1,496	23.77
Fire Protection Services	422	309	270	168	2.68
Parks and Recreation Services	5,101	3,736	3,266	2,019	3.62
Growth Related Studies	532	389	340	210	1.43
Total Municipal Wide Services	9,832	7,200	6,294	3,893	31.50