
MEMORANDUM

PBLRC-C 7-2019

Subject: Regional Development Charge Complaint Hearing Process Background

Date: July 30, 2019

To: Procedural By-Law Review Committee

From: Helen Chamberlain, Director/Deputy Treasurer

The Procedural By-Law Review Committee made the following request for information at the meeting held on June 17, 2019:

Provide information respecting Development Charge hearings being held at a Committee meeting rather than a meeting of Regional Council.

The following has been prepared as additional background on the complaint process adopted by the Region:

- Section 20 of the Development Charges (DC) Act provides a means to address Development Charge complaints.
- On March 3, 2011, Council elected to delegate the authority to hold the complaint hearings to the appropriate Standing Committee of Council. Planning Committee at that time had purview of the DCs therefore complaints went to that committee and a By-Law, attached as Appendix 1, to delegate authority was passed by Council.
- On May 16, 2018, when reviewing the Regional Development Charges Task Force (RDCTF) Terms of Reference (TOR), an amendment was recommended that hearings be directed to Corporate Services Committee (CSC) as that committee now had purview of DCs as a result of changes to the committee by-laws. However committee directed staff to return the authority to hold complaint hearings back to Council, repealing the previously passed By-Law. The concern was that by continuing to have a committee hold the hearings it would diminish the authority of Council.
- Council approved the revised Regional process for complaint hearings on July 5, 2018 as per CSD 12-2018 Revised.

Should Council direct future complaints to be heard by CSC, the TOR and a By-Law would need to be updated for Council's consideration. If Council delegates the authority to hold complaint hearings to CSC, then any complaint rulings made by CSC would be final and would not need to be ratified by Regional Council.

Respectfully submitted and signed by

Helen Chamberlain, CPA, CA
Director, Financial Management & Planning/Deputy Treasurer