

Procedure for Complaints under the Development Charges Act

Parties to a Complaint

A person required to pay a development charge to Niagara Region, or the person's agent, may complain to the Region. The process for development charges complaints is outlined in sections 20-25 of the Development Charges Act.

Time, Form, and Contents of a Complaint

Complaints must be in writing, submitted to the address below, or via email to:

Clerk@niagararegion.ca

The Regional Municipality of Niagara

1815 Sir Isaac Brock Way

P.O. Box 1042

Thorold, ON L2V 4T7

Attention: Regional Clerk

No complaint will be considered if it is received more than 90 days after the date the development charge, or any part of it, is payable to Niagara Region (as per s. 20(2) of the Development Charges Act). All complaints will first be reviewed by Niagara Region staff to confirm the criteria for submitting a complaint as outlined in the Act have been met.

The complaint must contain and allege, as a reason for the complaint, one or more of the following:

1. The amount of the development charge was incorrectly determined;
2. Whether a credit is available to be used against the development charge, or the amount of the credit or the service with respect to which the credit was given, was incorrectly determined; or
3. There was an error in the application of the development charge by-law.

Complaint Hearing

A hearing of the complaint at a Special meeting of Regional Council will be scheduled within 60 days after the complaint is received by the Region as required.

At a hearing before Regional Council, the complainant will be given an opportunity to make representations. Niagara Region Staff may provide a report to Regional Council regarding the complaint. After hearing the evidence and submissions of the complainant, Council may dismiss the complaint or rectify any incorrect determination or error that was the subject of the complaint.

The decision of Council is final, subject to the appeal rights provided in the Development Charges Act.

The notice of hearing of the complaint will be mailed to the complainant at least 14 days before the hearing at the address provided below.

Following the hearing, the notice of Regional Council's decision will be mailed to the complainant at the address provided below no later than 20 days after the date of the decision.

To be completed in advance of filing a Development Charges Complaint with Niagara Region.

Contact Information of Complainant:

Date (yyyy-mm-dd)		
Name of complainant (first, last)		
Address		
City/Town	Province	Postal code
Home phone no.	Business phone no.	Mobile no.
E-mail		

Location of development that the complaint relates to:

Building Permit No.	Regional Development Charge Owing (\$)	
Type of Development		
Address		
City/Town	Province	Postal code

Date Development Charges Paid (mm/dd/yyyy): _____

Date of Building Permit Issuance (mm/dd/yyyy): _____

Has it been more than 90 days after the day that the development charges, or any part of them, were payable (Y/N)? _____

Complaint Type (check all that apply)

<input type="checkbox"/>	The amount of the development charge was incorrectly determined.
<input type="checkbox"/>	Whether a credit is available to be used against the development charge, or the amount of the credit or the service with respect to which the credit was given, was incorrectly determined.
<input type="checkbox"/>	There was an error in the application of the development charge by-law (Click for DC Bylaw).

If any of the above complaint types are applicable, please provide a summary of the complaint below.

Summary of Complaint

Please indicate how the complaint meets at least one of the complaint types noted above and provide the reasons for your complaint. Please be as detailed as possible and provide information as to who was involved, dates, and times. If there is not enough space below to describe the complaint, you may attach extra paper. Please attach any relevant documents such as letters or reports that are relevant to your complaint. Please further indicate the amount of development charges that you believe are payable if there is a difference between the amount calculated by the municipality or Region, and your calculation. Please also explain the basis of your calculation.

The information you provide on this form is collected pursuant to the Development Charges Act and shall be used solely for purposes of processing your complaint and in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

If you have any questions regarding this form, or the Development Charges Complaint process, please contact Rob Fleming (robert.fleming@niagararegion.ca).