

Legal & Court Services Department

December 20, 2024

McCarthy Tetrault LLP
Barristers and Solicitors
P.O. Box 48, Suite 5300
Toronto-Dominion Bank Tower
Toronto ON M5K 1E6

Attention: Michael Foderick

**RE: Complaint to York Region and the Township of King
Under Section 20 of the *Development Charges Act, 1997*
Submitted By Sarah Gairdner ("Owner")
For 860 19th Sideroad, Township of King ("Property")**

The following is in response to your correspondence of November 26, 2024, wherein you requested to submit a Section 20 complaint to both York Region and the Township of King regarding the imposition of development charges on the Owner pursuant to the *Development Charges Act, 1997* (the "**Act**"). York Region and the Township of King have conferred and the Township confirms the following is a coordinated response from the Region and the Township as it pertains to the Owner's requested Section 20 complaint.

We understand the Owner has yet to remit payment of the development charges to either York Region or the Township of King. There can be no statutory complaint in respect of the development charges until the development charges are actually paid. It is at that point the amount at issue is crystalized and the right to complain in respect thereof arises.

As provided at Section 20(2), "*A complaint may not be made under subsection (1) later than 90 days after the day the development charge, or any part of it, is payable.*" In this case, no part of the development charge is due and payable by the Owner until the Owner chooses to pay the development charge and proceed with permits. At that point, the Owner may, effectively, pay under protest, which crystalizes the date at which the development charge is payable, and following which the Owner has 90 days to submit notice of a complaint.

Should the Owner wish to proceed with a Section 20 complaint, then the Owner would have to make payment of the development charges and then protest same. Alternatively, the Owner may continue to engage in discussions with Regional and Township staff regarding the development charges calculations outside of the statutory complaint process until such a time as the Owner wishes to proceed with payment and engage any statutory rights under Section 20.

I trust the foregoing clarifies the process for filing a Section 20 complaint with the Region and the Township.

Sincerely,

A handwritten signature in black ink, appearing to be 'Alexis Alyea', with a stylized, cursive script.

Alexis Alyea
Senior Counsel
AA/aa

c. Fabrizio Filippazzo, Manager, Development Financing, York Region
Peggy Tollett, Director of Finance / Treasurer, Township of King

Edocs #