

Staff Report



Financial Services Department

www.kitchener.ca

REPORT TO: Finance and Corporate Services Committee

DATE OF MEETING: April 20, 2026

SUBMITTED BY: Ryan Hagey, Director of Financial Planning & Asset Management, 519-904-9347

PREPARED BY: Ryan Hagey, Director of Financial Planning & Asset Management, 519-904-9347

WARD(S) INVOLVED: Ward 2

DATE OF REPORT: April 8, 2026

REPORT NO.: FIN-2026-174

SUBJECT: Savic Homes, 15 Dellroy Avenue – Section 20 Development Charges Complaint – Jurisdiction Hearing

RECOMMENDATION:

That this matter be adjourned to no later than June 1, 2026.

REPORT HIGHLIGHTS:

- The purpose of this report is to determine whether Committee has jurisdiction to hear a complaint regarding development charges at 15 Dellroy Avenue.
- The key finding of this report is the complaint was made outside the 90-day timeframe spelled out in the *Development Charges Act*, so no hearing should be held.
- This report supports the delivery of core services.

BACKGROUND:

A complaint was filed with the City of Kitchener regarding the development charges (DCs) imposed for a development at 15 Dellroy Avenue. Complaints of this nature are permitted under section 20 of the *Development Charges Act (DCA)*. City of Kitchener Council has delegated authority to hear these complaints to the Finance and Corporate Services Committee as part of report COR-2022-498, Development Charges Section 20 Dispute and Hearing Process.

REPORT:

The complaint regarding DCs at 15 Dellroy Avenue was made after the timeframe spelled out in the *DCA* so it is staff's recommendation that no hearing be held, and the complaint be dismissed.

Section 20 (2) states that a complaint may not be made later than 90 days after the day the development charge, or any part of it, is payable. The DC complaint regarding 15 Dellroy Avenue was received on **December 5, 2025**.

A building permit for 15 Dellroy Avenue was issued by the City on March 17, 2025. Under the *DCA* there are provisions to make payments for certain types of development at later dates, but

DCs become payable to the City at the time of building permit issuance. This means a formal DC complaint would have to be made no later than **June 15, 2025**.

Given the complaint was made after the 90-day window afforded in Section 20 of the DCA, staff recommended dismissing the complaint without holding a hearing.

UPDATE #1:

On January 5, 2026 Council approved an adjournment of this DC complaint so staff could meet with Savic Homes and their representatives to discuss the complaint. This meeting took place on January 15, 2026.

Despite ongoing requests from staff for a meeting agenda and specific details of the DC complaint, none was provided in advance of the meeting. During the meeting representatives for Savic Homes provided oral information regarding the nature of their complaint and said they would provide the information in writing the following week (January 19-23). As of the time the next staff report was prepared (January 28), the written information had not been received

After the meeting staff are still of the opinion the DC complaint should be dismissed as it was not made within the appropriate timeframe.

UPDATE #2:

On February 9, 2026 Council approved a second adjournment of this DC complaint. Staff received the written information promised previously from Savic Homes on February 6, 2026. Staff have reviewed this information and are still of the opinion the DC complaint should be dismissed and do not believe a further adjournment is in order.

UPDATE #3:

On March 9, 2026 Council was informed the City and appellant had reached a tentative settlement in principle and both parties were requesting an adjournment until April 20, 2026 to finalize details of the settlement. Negotiations have been ongoing and staff believe a further adjournment is in order.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

The recommendation has no direct impact on the Capital or Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

- [COR-2022-498](#) Development Charges Section 20 Dispute and Hearing Process
- [FIN-2026-015](#) Adjournment of Development Charges Complaints – 15 Dellroy Avenue and 1438 Highland Road
- [FIN-2026-017](#) Savic Homes, 15 Dellroy Avenue – Section 20 Development Charges Complaint – Jurisdiction

- [FIN-2026-071](#) Adjournment of Development Charges Complaints – 15 Dellroy Avenue and 1438 Highland Road – UPDATE
- [FIN-2026-062](#) Savic Homes, 15 Dellroy Avenue – Section 20 Development Charges Complaint – Jurisdiction UPDATE
- [FIN-2026-098](#) Savic Homes, 15 Dellroy Avenue – Section 20 Development Charges Complaint – Jurisdiction Hearing

APPROVED BY: Jonathan Lautenbach, Chief Financial Officer, Financial Services

ATTACHMENTS:

- DC Complaint Letter for 15 Dellroy Avenue from Loopstra Nixon