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Town of Aurora

Attachment 3

Development Charge Refund Policy

Finance

Contact: Financial Management

Approval Authority: Council

Effective: November 25, 2025

Revised: Nil

Development Charge Refund Policy

1 Purpose

The purpose of this policy is to define the Town's process for the identification of previously paid development charge eligibility for refund and release of payment under Sections 18 and 20 of the Development Charges Act, 1997, S.O. 1997, c.27.

2 Scope

This policy will apply to all developers and/or builders who have paid development charges to the Town.

3 Definitions

"Act" Means the Development Charges Act, 1997, S.O. 1997, c.27, as amended, revised, re-enacted or consolidated from time to time, and any successor statute.

"Developer" Means a person, corporation, group of persons and/or corporations, or an agent for a person, corporation or group of persons and/or corporations who is undertaking a development.

"Development charge refund" Means the refund of eligible previously paid development charges under Sections 18 and 20 of the Act.

"Development Charges (DCs)" The Town's development charges collected under authority of the Act and/or the Town's related Development Charges Bylaw, or area-specific development charges bylaw.

"Town" means The Corporation of the Town of Aurora;

4 Policy

4.1 Refund Eligibility Under Act

Under Section 18 and 20 of the Act, a refund of development charges may be issued in two instances.

- (i) A developer may seek a development charge refund under one of the following circumstances:
 - a. The amount of the development charge was incorrectly determined
 - b. A credit is available to be used against the development charge, or the amount of the credit or service with respect to which the credit was given, was incorrectly determined
 - c. There was an error in the application of the Development Charges By-law
- (ii) If the Ontario Land Tribunal repeals or amends a development charge by-law or orders Council to repeal or amend a development charge bylaw, the municipality shall refund the difference between the development charges paid and the development charges approved under the repealed or amended by-law.

4.2 Other Refund Eligibility

If a development charge is paid at the time a building permit is issued and no building proceeds pursuant to the said permit and the building permit has expired, the developer may apply to the Director, Finance / Treasurer for a refund of the development charges paid at the time of building permit issuance provided the building permit is surrendered with the said refund application, if not already surrendered.

4.3 Application for Development Charge Refund

A development charge refund application is required under Sections 4.1 (i) and 4.2 of this policy. Otherwise, an application for a development charge refund is not required.

An application for a development charge refund under Section 4.1 (i) may not be made later than 90 days after the day that the development charge, or any part of it, is payable.

An application for a development charge refund under Section 4.2 may not be made later than 90 days after a building permit has been surrendered.

An application for a development charge refund which must be made in writing to the Director, Finance / Treasurer and include the requestor's name, the address where

notice can be given and the reasons for the request. The Director, Finance / Treasurer will decide based on the evidence provided to dismiss the request or issue a refund.

4.4 Interest

Any refunds issued under Section 4.1 (ii) of this policy will be paid with interest to be calculated from the date on which the overpayment was collected to the date on which the refund is paid. The Bank of Canada interest rate in effect on the date the overpayment was made will be used.

4.5 Education Development Charges

This process applies equally to any development charge refund request relating to Education Development Charges. Under section 257.85 of the Education Act, the Town is responsible for handling requests of this nature.

5 Responsibilities

5.1 Director, Finance / Treasurer

- (i) Administration of this policy in collaboration with applicable departmental and developer stakeholders.
- (ii) Approval of any requested development charge refunds under this policy.
- (iii) Enforcement of this policy.
- (iv) Disbursement of any agreed upon development charge refunds.
- (v) Assess the financial impact of development charge refunds

5.2 Legal Services

- (i) At the request of the Treasurer, the Solicitor is responsible for providing advice related to this policy.

6 Monitoring and Maintenance

The Director, Finance / Treasurer, shall ensure compliance with the Act, the Development Charges bylaw, this policy and all other legislative requirements.

7 References

- [Federal Act](#), [Provincial Act](#), [Regional By-law](#), [Aurora By-law](#), [Aurora Policy](#)
- Development Charges Act, 1997, S.O. 1997, c. 27