

**By-law 2020-36**

**A By-Law of the City of Greater Sudbury to Authorize a  
Development Charges Deferral Agreement 1499545 Ontario Inc.  
Pertaining to Development at 150 Mumford Road, Lively**

**Whereas** Council for the City of Greater has authority under s. 27 of the *Development Charges Act* to enter into an agreement with a person who is required to pay a development charge, providing for all or any part of a development charge to be paid before or after it would otherwise be payable;

**And Whereas** such an agreement may provide for the date on which the development charge or any part of it is payable under the agreement and may allow for interest to be payable on that part of the development charge paid after it would otherwise be payable;

**And Whereas** Council for the City of Greater Sudbury has determined that it is in order to defer payment of development charges otherwise payable for the construction of an industrial development on property owned by 1499545 Ontario Inc., municipally described as 150 Mumford Road, Lively, being PIN 73376-0376(LT) and further determined that interest should be payable on the amount deferred and transfer restricted until payment in full;

**Now Therefore the Council of the City of Greater Sudbury enacts as follows:**

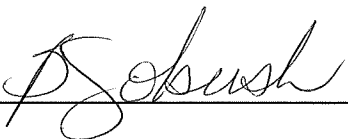
**1.-(1)** The Executive Director of Finance, Assets and Fleet Services is hereby authorized to execute, on behalf of the City of Greater Sudbury, a Development Charges Deferral Agreement with 1499545 Ontario Inc., providing for a deferral of development charges otherwise payable for an industrial development at 150 Mumford Road, in Lively, PIN 73376-0376(LT), Parts 3 and 4, Plan 53R-18098 in the City of Greater Sudbury on the following terms:

- (a) the amount of the development charges payable will be determined on the date of issuance of the building permit;
- (b) 1/6<sup>th</sup> of the development charges payable will be due prior to issuance of the building permit and the remaining 5/6 shall be repayable in annual blended instalments of principal and interest amortized over 5 years with any remaining balance due 5 years from the date of the issuance of the building permit;
- (c) the outstanding development charges shall bear interest at the rate of 5% per annum from the date of issuance of the building permit until payment in full;

- (d) the outstanding development charges and interest thereon shall become due and payable in full on the date of any transfer of all or part of the property to which the building permit relates;
  - (e) 1499545 Ontario Inc., shall register on title to the property subject to the building permit, a restriction on transfer, prohibiting transfer without the consent of the City of Greater Sudbury which shall only be available upon payment in full of the outstanding development charges and interest thereon;
  - (f) 1499545 Ontario Inc. shall provide the City with a letter of credit for the amount of outstanding development charges prior to the issuance of a building permit;
  - (g) the Chief Building Official will be authorized to issue a building permit for the development upon execution of the Development Charges Deferral Agreement and compliance with subsections (b), (e) and (f) above; and
  - (h) such other provisions as the Executive Director of Finance, Assets and Fleet Services considers appropriate in the circumstances.
- (2) The Executive Director of Finance, Assets and Fleet Services is further authorized to execute on behalf of the City of Greater Sudbury and all amendments to the Development Charge Deferral Agreement, all renewals and related documents,
2. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 4<sup>th</sup> day of February, 2020

  
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Mayor

  
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Clerk