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| Presented To: | Hearing Committee    |
| Presented:    | Monday, Jul 19, 2010 |
| Report Date   | Friday, Jul 09, 2010 |
| Type:         | Managers' Reports    |

## Request for Decision

### Request to Waive Development Charge Fees - Mr. Barry Lacroix, 2790 Kingsway

#### Recommendation

THAT Council agrees to waive the Development Charge fees for 2790 Kingsway and refund Mr. Barry Lacroix, Lacroix Construction, accordingly.

#### Finance Implications

If approved, \$8,198 will be refunded to Mr. Barry Lacroix from the development charges reserve funds.

#### **BACKGROUND**

**Mr. Barry Lacroix has applied for a building permit and paid his Development Charge fees for a house relocation to a lot on Garson-Coniston Road. He is requesting that Development Charges be waived in this instance.**

**Given the fact that the lot the house was removed from at 2790 Kingsway is part of our landfill buffer and will not be used residentially in the future, the house does not increase growth related aspects of the Development Charges By-law as there is no net growth.**

**Therefore it is staff's recommendation that Council suspend the Development Charge in this instance and refund Mr. Lacroix accordingly.**

#### **Attachment**

#### Signed By

##### **Report Prepared By**

Guido Mazza  
Director of Building Services/Chief  
Building Official  
*Digitally Signed Jul 9, 10*

##### **Division Review**

Guido Mazza  
Director of Building Services/Chief  
Building Official  
*Digitally Signed Jul 9, 10*

##### **Recommended by the Department**

Bill Lautenbach  
General Manager of Growth and  
Development  
*Digitally Signed Jul 15, 10*

##### **Recommended by the C.A.O.**

Doug Nadorozny  
Chief Administrative Officer  
*Digitally Signed Jul 15, 10*

**LACROIX CONSTRUCTION CO. (SUDBURY) LTD.  
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May 27, 2010.

City of Greater Sudbury  
200 Brady Street  
Sudbury, Ontario.  
P3A 5W5

Attn: Angie Hache  
Re: Development charges (ISD09-81)

After being awarded the above contract in 2009, we determined that rather than demolishing the house at 2790 Kingsway, Sudbury, Lacroix Construction would move the residence to another lot that we would purchase. This would eliminate having to use the landfill services and essentially work with the reduce, reuse and recycle philosophy. We purchased a lot on Garson-Coniston Road and began the process of applying for various permits to move the house. It was at this time that we found out that the City of Greater Sudbury had implemented a development fee that came into force on January 1, 2010. Had we been aware of these additional charges, we would have accounted for them or would have moved the structure in 2009.

We are writing to request that this fee be waived in this instance as we are taking the house off an existing site that predates the development charges and moving it to a site subject to development charges. The fee now charged by the City is about growth and moving this structure is not growth related.

Thank you in advance for your prompt consideration of my request and I look forward to meeting with you in the near future.

Sincerely,

Barry Lacroix,  
Lacroix Construction.