

Date: June 28, 2021

Report To: Mayor & Council

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: Newfort Request for SPCA Deposit Return – 814 Scott Street

Newfort Developments intended to construct an 18-unit apartment complex in the Town of Fort Frances at 814 Scott Street this year, however, due to the significant increase in project costs (25%) over the last 12 months and ongoing provincial and international border restrictions, their group does not foresee the project taking place in 2021. Newfort is hopeful that the project can take place in 2022 if the construction material market stabilizes and border restrictions are loosened, though this cannot be guaranteed.

The Town and Newfort have entered into a Site Plan Control Agreement regarding the development where a letter of credit in the value of \$75,000.00 was issued to the Town to hold to ensure completion of the project as per the plans and drawings.

Given that Newfort will not be commencing the project this year they are requesting return of the \$75,000.00 as they are incurring 8% interest (per annum) on the deposit.

It should be made aware to Mayor and Council that the site plan agreement relies heavily on the deposit to ensure the project and agreement are complied with. Without it the agreement has little binding authority.

The Planning and Development Executive Committee considered this matter at their June 21, 2021 session where approval of the request to return the deposit was recommended subject to the following:

- That the site plan agreement be de-registered from title at the cost of the property owner;
- That the authorizing by-law be rescinded;
- That the property owner be required to reapply and issue a new fee (\$1,040.30) for a new site plan control agreement when ready to resume the project including any applicable legal costs; and
- That Newfort and Hillside reimburse the Town for the reimbursement issued under the Community Improvement Plan (Financial Incentive Program) for the value of \$7,471.98.

Respectfully submitted.



Cody Vangel
Chief Building Official & Municipal Planner

Approval of this report will agree with the recommendation of the Planning and Development Executive Committee to approve the letter of credit return subject to the following:

- That the site plan agreement be de-registered from title at the cost of the property owner;
- That the authorizing by-law be rescinded;
- That the property owner be required to reapply and issue a new fee (\$1,040.30) for a new site plan control agreement when ready to resume the project including any applicable legal costs; and
- That Newfort and Hillside reimburse the Town for the reimbursement issued under the Community Improvement Plan (Financial Incentive Program) for the value of \$7,471.98.