

# REPORT

To: Mayor and Council  
From: Faye Flatt, Municipal Planner  
Date: 7 October 2013  
Re: 840 King's Highway – Boston Pizza Site Plan Control Agreement  
Certificate of Final Acceptance/Release of Security

Municipal Planner  
Report #2013-23



The construction of a Sports Bar and Restaurant in 2009 at 840 King's Highway was subject to Site Plan Control. The owners of the property entered into an agreement with the Town and filed security to ensure the work was completed in accordance with it.

Three years after the business opened the project there remained a number of documents that had not been submitted by the property owners and as such, the file on the project could not be closed. After numerous attempts to obtain the required documents, the Town notified the owner that in accordance with the agreement, the Town would undertake the work with the costs being covered by the security.

In January, after the documents were obtained, the Certificate of Final Completion issued and 90% of the security released. This reduction triggered the one-year maintenance period where the remaining balance (\$7000) is held to ensure no deficiencies in infrastructure or service works. Earlier this year staff conducted an on-site inspection with deficiencies noted. Arrangements were made by the Town to have the issues resolved and a recent inspection showed they had been. Notwithstanding that it has not been a full year since the security was reduced, this project may be a candidate for consideration where the balance of maintenance period is waived. This has been done in the past in similar situations where infrastructure is in the ground more than 3 years ago (New Beginning Church, McIrvine Bingo Hall). In those instances, the maintenance period was considered redundant and the project considered complete.

## Recommendation

It is recommended the Town waive the remainder of maintenance period, consider this project complete such that the Certificate of Final Acceptance can be issued and authorize the release of the balance of security. The Planning and Development Executive Committee supported this recommendation at its meeting October 7<sup>th</sup>.

Respectfully submitted,

F. Flatt, AMCT, ACST, CPT

**COUNCIL APPROVAL OF THIS REPORT WILL:** Recognize the completion of the development at 840 King's Highway and authorize the issuance of the Certificate of Final Acceptance by the Environmental Superintendent on behalf of the Town of Fort Frances; and authorize the release of the balance of security held by Letters of Credit for this project.

