



Report to Council

Department: Development Services
Division: Planning
Date: June 16, 2025
Prepared by: Rita Jabbour, RPP, Manager, Planning Services
Report Number: Planning-2025-10
Subject: Release of Securities for the Ducharme Lane Residential Subdivision (Ward 2)
Number of Pages: 4 including attachments

Recommendation(s)

That Planning report Planning-2025-10 entitled Release of Securities for the Ducharme Lane Residential Subdivision prepared by Rita Jabbour, RPP, Manager, Planning Services dated June 16, 2025 be received, and

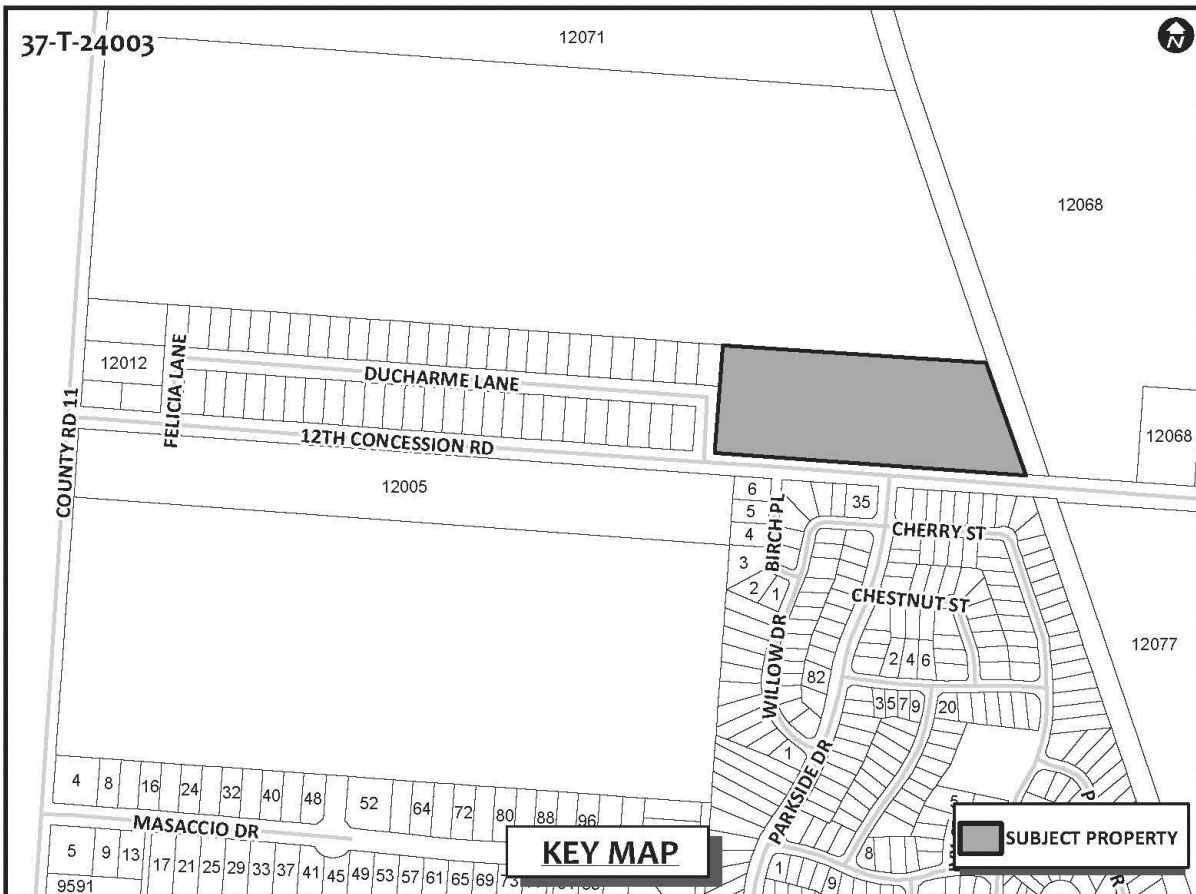
That the performance securities on file for the Ducharme Lane Residential Subdivision be reduced to \$342,183.49.

Purpose

Council authorization is required to release Performance Securities for the Ducharme Lane Residential Subdivision (Ward 2) as permitted under provision 59 of By-Law 2338, the executed Subdivision Development Agreement between the Corporation of the Town of Essex and Fantuz Holdings INC.

Background and Discussion

The Ducharme Lane Residential Subdivision is an eighteen (18) unit residential development located in the Secondary Settlement Area of McGregor (Ward 2). A location map is provided below:



The development received final approval on March 19, 2025. All municipal services have since been installed and building permits may be issued upon removal of the Holding (H) Zone provision.

Performance securities in the amount of fifty percent (50%) of the value of the development are held to ensure due and proper performance of the works set out in the executed Subdivision Development Agreement. The Developer provided performance securities in the

amount of \$512,211.49 prior to the construction of the required services. The performance securities may be reduced to the extent of the value of the work remaining as certified by the municipal engineer.

Under provision 59 of the Subdivision Development Agreement, upon acceptance of the development, performance securities shall be reduced to twenty-five percent (25%) of the development cost, and one hundred percent (100%) of the securities for any outstanding works will be retained. Accordingly, the Town will reduce securities on file by \$170,028.00, and will continue to hold back \$342,183.49 until all required construction has been completed. Outstanding work includes: concrete sidewalks and mailbox pads, street trees (one per lot), permanent pavement markings and signs, surface course asphalt, CCTV inspection (end of maintenance). Therefore, it is now appropriate to release a portion of the remaining performance securities.

Under provision 59 of the Subdivision Development Agreement, the developer will be responsible for all materials, equipment and work on the land owned by the Town or on any lands to be conveyed to the Town for a minimum of one (1) year following the completion and acceptance of the works by the Town. The maintenance period of one (1) year has not yet begun as the works have not been completed and accepted by the Town at this time.

Financial Impact

There is no financial impact resulting from the release of the securities as the Town was not required to draw on the retained securities because the developer fulfilled the servicing requirements as per the executed Subdivision Development Agreement.

Consultations

Kevin Girard, Director, Infrastructure Services

Lori Chadwick, Director, Development Services

Ann Marie Unis, Manager, Finance

David McBeth, Manager, Capital Works and Asset Management

Link to Strategic Priorities

- Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- Leverage our Town's competitive advantages to promote jobs and economic investment.
- Take care of our natural environment and strengthen the sense of belonging to everyone who makes Essex "home".
- Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

Report Approval Details

Document Title:	Release of Securities for the Ducharme Lane Residential Subdivision (Ward 2) - Planning-2025-10.docx
Attachments:	- 25-9968 - Ducharme Lane Development - Securities Reduction and Acceptance for Maintenance.pdf
Final Approval Date:	Jun 10, 2025

This report and all of its attachments were approved and signed as outlined below:



Lori Chadwick, Director, Development Services - Jun 10, 2025 - 9:19 AM



Kate Giurissevich, Chief Administrative Officer - Jun 10, 2025 - 9:30 AM