



Report to Council

Department: Development Services
Division: Planning
Date: June 16, 2025
Prepared by: Rita Jabbour, RPP, Manager, Planning Services
Report Number: Planning-2025-11
Subject: Release of Securities for Phases 1 and 5 of the Essex Town Centre Residential Subdivision (Ward 1)
Number of Pages: 5

Recommendation(s)

That Planning report Planning-2025-11 entitled Release of Securities for Phases 1 and 5 of the Essex Town Centre Residential Subdivision (Ward 1) prepared by Rita Jabbour, RPP, Manager, Planning Services dated June 16, 2025 be received, and

That performance securities in the amount of \$1,596,249.75 be returned to the Developer.

Purpose

Council authorization is required to release Performance Securities for Phases 1 and 5 of the Essex Town Centre (ETC) Residential Subdivision (Ward 1) as permitted under provision 11 (iv) of By-Law 727, the executed Subdivision Development Agreement between the Corporation of the Town of Essex and Essex 143 Joint Venture LTD.

Background and Discussion

Phase 1 and 5 of the Essex Town Centre (ETC) Residential Subdivision is a residential development located in the Primary Settlement Area of Essex Centre (Ward 1). It consists of nineteen (19) Single-Unit Dwellings and One-hundred and thirty-four (134) townhome dwelling units. Phase 1 and 5 of the development is identified below:



The development received final approval from the Manager of Planning Services for the County of Essex in April, 2006. All municipal services for Phases 1 and 5 have since been installed and building permits have been issued.

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 as set out in the executed Subdivision Development Agreement. The Developer provided performance securities in the amount of \$3,192,499.50 prior to the construction of the required services. The performance

securities were reduced to \$1,596,249.75- the extent of the value of the work remaining as certified by the municipal engineer- by Council resolution on December 4, 2023:

Resolution Number R23-12-479

Moved by Councillor McGuire-Blais

Seconded by Councillor Matyi

That Planning Report 2023-27 entitled Reduction of Performance Securities for Phase 1 and 5 of the Essex Town Centre Residential Subdivision prepared by Rita Jabbour, RPP, Manager, Planning Services dated December 4, 2023 be received, and

That the Performance Securities on file for Phase 1 and 5 of the Essex Town Centre Residential Subdivision be reduced to \$1,596,249.75.

Since that time, all outstanding items have been completed. Therefore, it is now appropriate to release the remaining securities.

Phases 1 and 5 of the development will be assumed by Municipal By-law through a future Council report. The assumption will not include the Stormwater Management Pond (SWM Pond) due to the need for further expansion of the SWM Pond once future phases are constructed, as well as the need to address existing soil contamination within the SWM Pond lands. Once future phases are constructed and the contaminated soil is addressed, the SWM Pond will be assumed by the Town.

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 Phases 1 and 5 of the Essex Town Centre Residential Subdivision (Ward 1) - Planning-2025-11.docx
Attachments:	
Final Approval Date:	Jun 11, 2025

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



Lori Chadwick, Director, Development Services - Jun 10, 2025 - 3:49 PM



Kate Giurissevich, Chief Administrative Officer - Jun 11, 2025 - 11:14 AM