



THE CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8

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County of Essex – Via Email

360 Fairview Avenue West
Essex, ON, N8M 1Y6

October 1, 2025

Attention: Melissa Ryan, Director, Financial Services/Treasurer

RE: Proposed County of Essex Development Charges

Dear Melissa,

On behalf of the Administration of the Town of Essex, we respectfully submit the following comments for your consideration as a part of the public and agency consultation for the proposed County of Essex Development Charges (DC).

Thank you for the opportunity to meet with you at the Local Municipal Partner (LMP) Meeting on May 5, 2025 to understand the framework, methodology, and key findings of the County DC Background Study, including growth projections, capital needs, and proposed calculations. At this meeting Town of Essex representatives brought forward the concept of a Local Service Policy (LSP) to ensure clarity in which infrastructure costs would be collected via a County DC, a Town DC or direct contributions from a Developer.

As a next step, you requested the LMPs to advise you of any capital growth projects, where costs are included in our local DC By-laws, that require a County contribution by June 3, 2025. On June 3, 2025, the Town of Essex submitted a list of capital growth projects that include County-owned infrastructure, which the Town included in our DC Background Study but were noted as not included in the County's Draft DC Background Study, being:

- County Road 8 and Talbot Street North Intersection Improvements
- County Road 8 and South Talbot Road Intersection Improvements
- County Road 34 Reconstruction from County Road 8 to Hopgood (Road Repaving & Storm Sewers)
- County Road 23 & Future Hanlan Street Roundabout
- County Road 23 & Talbot Street South Intersection Improvements

On August 20, 2025, the Town of Essex received responses to the list indicating the above projects were not included as they are either at the intersections of County Connecting Links (CCLs), along a CCL, or are unrelated to growth in the opinion of County administration.

The Town of Essex provided a follow up response on September 18, 2025 recommending that an LSP be established to provide clarity to the LMPs for projects eligible or ineligible for County DCs, to be paid directly by a Developer, or to be paid by the LMP. The intent of an LSP is to identify when a Developer would be responsible for infrastructure, when the infrastructure would be included in the County's DC Background Study, and when they will be at the cost of the LMP.



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Some specific items for consideration within the LSP could be:

- Road widenings (additional lanes)
- Turning lanes - could be County to County Roads vs. County to Local Area Municipal Roads
- Intersection improvements (including roundabouts) - could be County to County Roads vs. County to Local Area Municipal Roads
- Active Transportation (CWATS vs. local area municipalities)
- Sidewalks, streetlights (local area municipal responsibility)

The LSP could also contain reference to a funding policy respecting how growth-related infrastructure upgrades to both Town- and County-owned assets will be cost shared (including CCLs and those along a CCL). This funding policy would provide a consistent approach to funding or infrastructure on, or intersecting with, County Roads. The policy could set out which level of government is responsible for what share of the funding, which can then be funded with DCs if it is growth-related.

As per Section 59.1 of the *Development Charges Act*, a municipality cannot impose, directly or indirectly, a charge related to a development or a requirement to construct a service related to development, except as permitted by the DC Act or another Act. If a lower tier or upper tier municipal body requires a Developer to pay for specified infrastructure upgrades that are not described in a Local Service Policy, the developer may be eligible to receive credit for the works, even if the works are not listed in the County DC Study.

To limit confusion and ambiguity for the development community and local municipalities who are tasked with administering a County By-law, the County of Essex may find value in referring to Bruce County, Middlesex County, and Wellington County as examples of LSPs in upper tier settings.

We look forward to continuing the conversation and the opportunity to resolve the concerns and recommendations above before finalizing the County of Essex Development Charges By-law.

Yours truly,

A handwritten signature in black ink, appearing to read "Lori M. Chadwick".

Lori M. Chadwick

Director, Development Services

- c.c.** Kate Giurrisевич, Chief Administrative Officer, Town of Essex
Kevin Girard, Director, Infrastructure Services, Town of Essex
Kate Rowe, Director, Corporate Services/Treasurer, Town of Essex