



Report to Council

Department: Development Services

Division: Planning

Date: March 1, 2021

Prepared by: Corinne Chiasson, Assistant Planner

Report Number: Planning 2021-05

Subject: Reduction and Release of Securities for Phase 3C of the Jakana Subdivision Development (Ward 1)

Number of Pages: 7

Recommendation(s)

That Planning Report Planning-2021-05 entitled Reduction and Release of Performance Securities for Phase 3C of the Jakana Subdivision Development (Ward 1) prepared by Corinne Chiasson, Assistant Planner, dated March 1, 2021 be received, and

That the performance securities for Phase 3C of the Jakana Subdivision Development be reduced by \$197,082.47, and

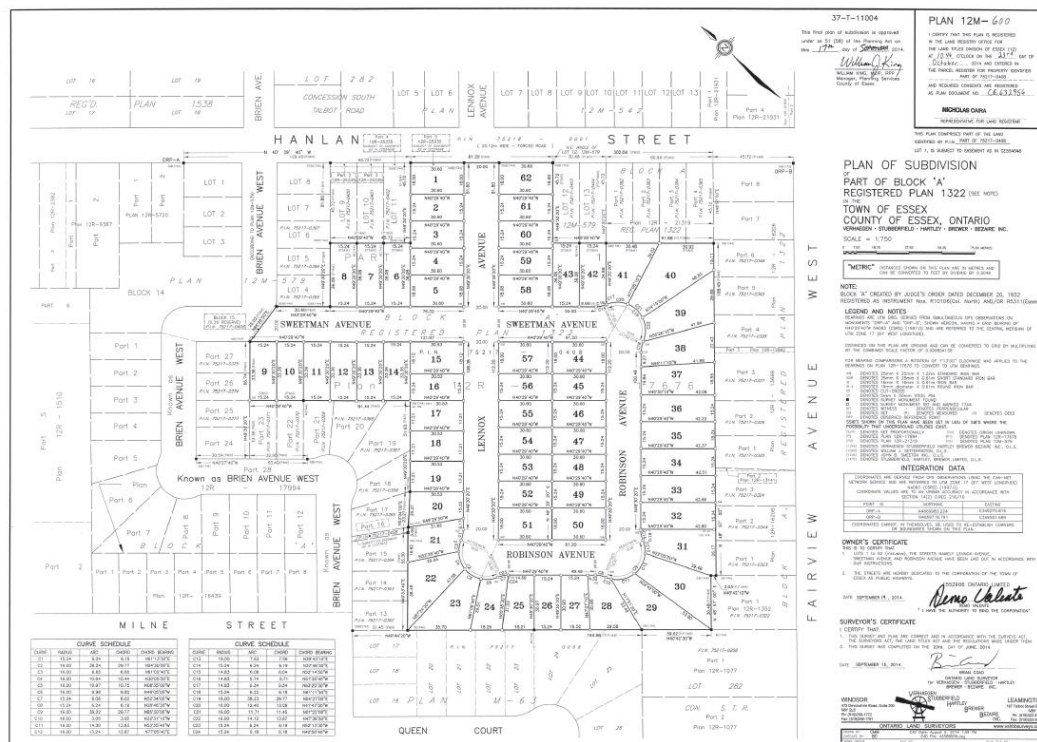
That performance securities in the amount of \$197,082.47 plus if applicable, any interest earned on the deposit up to the day of release for the completion of the installation of services for Phase 3C be returned to the developer, 1552906 Ontario Limited, and

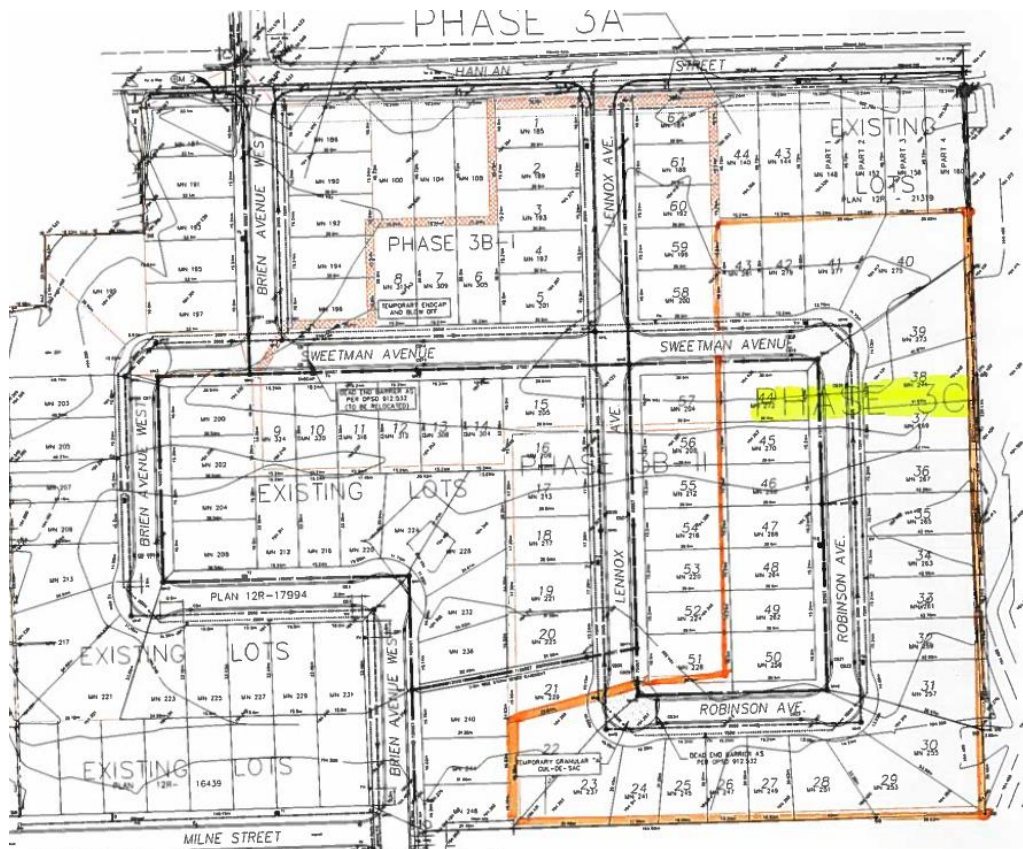
That the underground utilities, curbs, and base asphalt be placed on the one year maintenance schedule.

To authorize the reduction and release of performance securities and acknowledge the beginning of the maintenance period for the underground utilities, curbs, and base asphalt works for Phase 3C of the Jakana Subdivision.

Background and Discussion

The Jakana Subdivision Development is located in Ward 1 of the Town of Essex and is identified below:





Performance securities in the amount of \$394,164.94 were received by the Municipality on May 10, 2019 by way of a cheque deposit prior to the commencement of the installation of services for Phase 3C. To assure the performance by the Owner of the terms and provisions of the Development Agreement, the Owner was required to submit deposit prior to the commencement or the installation of services with the Town. This deposit is held for assurance that the owner fulfills all conditions identified in the executed Subdivision Agreement.

A request from Mr. Matthew J. Baird, P.Eng, President, Baird AE Engineering Consultants, on behalf of the Owner of the Jakana subdivision development, 1552906 Ontario Limited, was received on November 11, 2020, requesting a release of fifty percent (50%) of the performance securities on file with the Town of Essex for Phase 3C of the development as per the breakdown below:

Services	Released Securities (50%)	Securities to be Held (50%)
Storm	\$64,336.42	\$64, 336.42
Sanitary	\$39, 982.62	\$39, 982.62
Water	\$29, 244.01	\$29, 244.01
Road	\$63, 519.42	\$63, 519.42
Total: \$394,164.94	\$197,082.47	\$197,082.47

As per the executed Development Agreement for the Jakana Subdivision, performance securities may be reduced to the extent of the value of the work remaining. As indicated in Mr. Baird's letter of request, site reviews and final inspections were conducted in accordance with the procedures described in the Professional Engineers of Ontario Guidelines for Professional Engineers Providing General Review of Construction. Baird AE is not aware of any outstanding deficiencies in the construction and is of the opinion that the work is in conformity with the drawings and specifications prepared. Town of Essex Infrastructure Services has confirmed that the Owner has fulfilled the servicing requirements.

Maintenance securities are held as assurances that the Owner will assume responsibility for all materials, equipment and work until all construction and installation has been completed, in accordance with the executed Subdivision Agreement. The remaining Maintenance securities are only released after the one-year maintenance period has expired and all deficiencies have been rectified. The Owner has requested that underground utilities, curbs and base asphalt be placed on one-year maintenance. The remaining 50% maintenance securities in the amount of \$197,082.47 will therefore be retained and released only after the one year maintenance period has expired and all deficiencies have been rectified.

Financial Impact

There is no financial impact as the Town was not required to draw on the retained securities because the developer fulfilled the servicing requirement as per the executed Subdivision Agreement.

Consultations

Jeffery R. Morrison, Director, Corporate Services/Treasurer

Kate Giurissevich, Manager, Finance and Business Services/Deputy Treasurer

Richard Beausoleil, Manager, Capital Works and Infrastructure

Kevin Girard, Director, Infrastructure Services

Rita Jabbour, Manager, Planning Services

Lori Chadwick, Director, Development Services

Link to Strategic Priorities

- ☐ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☒ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☐ Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

Report Approval Details

Document Title:	Planning 2021-01 Release of Jakana Securities.docx
Attachments:	- Letter of Conformance for Jakana Phase 3C.pdf
Final Approval Date:	Feb 25, 2021

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

Rita Jabbour, Manager, Planning Services - Feb 25, 2021 - 10:58 AM



Lori Chadwick, Director, Development Services - Feb 25, 2021 - 11:06 AM

No Signature - Task assigned to Chris Nepszy, Chief Administrative Officer was completed by workflow administrator Shelley Brown, Deputy Clerk, Legal and Legislative Services

Chris Nepszy, Chief Administrative Officer - Feb 25, 2021 - 12:11 PM