

 <p>City of <b>KAWARTHA LAKES</b> Catch the Kawartha spirit</p>	<p><b>CORPORATE POLICY AND PROCEDURES MANUAL</b></p>
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Policy No:

<b>071</b>	<b>EPW</b>	<b>004</b>
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Policy Name:

**Pre-Servicing of Subdivision Lands**

**DEVELOPED BY:** Wayne Hancock  
**DEPARTMENT:** Public Works  
**DATE:** May 12/03

**REVIEWED BY:** Development & Public Works  
**APPROVED BY:** Council  
**DATE:** May 20/03  
**DATE:** May 27/03

**RESOLUTION NUMBER:** CR2003-520  
**EFFECTIVE:** May 27/03

**CROSS-REFERENCE:** DPW2003-130  
CR2012-303  
CR2016-624  
CR2017-646 (agreement template only)  
**REVISIONS:**  
Mar 27/12  
June 28/16  
July 11/17

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### **POLICY STATEMENT AND RATIONALE:**

It is the purpose of this policy to establish the requirements for pre-servicing of vacant lands prior to the execution of a subdivision agreement throughout the City of Kawartha Lakes.

### **SCOPE:**

This policy shall apply to all requests for pre-servicing of vacant lands which have been granted draft plan approval.

### **DEFINITIONS:**

In reading and interpreting the *Pre-Servicing of Subdivision Lands* policy, the following definitions apply:

- a) "City" means The Corporation of the City of Kawartha Lakes.
- "Owner" means the party who wishes to install services as a requirement of draft plan approval.

## **POLICY, PROCEDURE AND IMPLEMENTATION:**

### **1.0 Request for Pre-Servicing Agreement**

- 1.01 Staff of the Engineering and Corporate Assets Department shall review in consultation with the Public Works Department the requests for pre-servicing submitted by Owners.
- 1.02 The Owner shall acknowledge in writing in the request for pre-servicing that he or she understands that the pre-servicing work will be completed solely at his or her peril, and the City will assume no responsibility for any work that has commenced.
- 1.03 The Owner shall acknowledge in writing in the request for pre-servicing that he or she understands that the pre-servicing agreement will not permit any connections to any existing sewers or water services. In addition, the Owner shall acknowledge that there will be no installations of any services within the City's right-of-ways.

### **2.0 Requirements**

- 2.01 The following items must be submitted with the pre-servicing request:
  - A draft copy of the pre-servicing agreement prepared by the Owner and Consulting Engineer;
  - A written acknowledgement from the Consulting Engineer addressed to the City stating that the Consulting Engineer understands the obligations to the City of the pre-servicing agreement;
  - A letter of indemnification to the City identifying that the Composite Utility Plan and Landscaping Plans are still outstanding from the engineering submission and that the Owner is proceeding at his or her sole risk on that basis;
  - A letter of credit or certified cheque for the securities (details noted in 2.03 below);
  - A certificate of public liability insurance in an amount not less than \$5,000,000 to protect the Owner and the City jointly against loss, damage, or injury to persons or property caused directly or indirectly by reason of the Owner undertaking development of the lands (details noted in 2.04 below);
  - A Construction Management Plan addressing the erosion and sediment controls, the construction traffic routing plan, and the detailed construction schedule, including the coordination of the preconstruction meeting with the City staff, Consulting Engineer, and the Contractor;
  - A copy of the Ministry of the Environment and Climate Control approval for municipal services;
  - A copy of the Conservation Authority written confirmation of clearance; and
  - Four hard copies and one electronic copy of the complete "issued for pre-servicing" sets of engineering drawings.
- 2.02 The Engineering and Corporate Assets Department must approve the servicing proposal prior to the execution of the pre-servicing agreement.

- 2.03 The Owner will submit security in the amount of 50 percent of the total estimated cost of engineering design along with an executed Pre-Servicing Agreement. The security will be used to secure the site with any required fencing, vegetative cover, or grading if the Owner does not enter into a subsequent subdivision or development agreement.
- 2.04 The Owner will also supply an indemnification in the pre-servicing agreement along with proof of liability insurance in the amount of at least \$5,000,000 with the City being named as a co-insured.

### **3.0 Procedures**

- 3.01 If an Owner wishes to pre-service a property, he or she will make a request to the Director of Engineering and Corporate Assets.
- 3.02 Development Engineering will provide a template of the pre-servicing agreement as requested.
- 3.03 The Owner shall submit the draft pre-servicing agreement along with the required items listed in Section 2.0 to the Director of Engineering and Corporate Services for review by the City.
- 3.04 The Director of Engineering and Corporate Assets will report to the Mayor and Clerk that the Owner has met the requirements, and the City may execute the agreement.

### **4.0 Delegated Authority**

- 4.01 For the purpose of permitting pre-servicing, the authority to execute a pre-servicing agreement is hereby delegated to the Director of Engineering and Corporate Assets.

Pre-Servicing Agreement Template (updated July 2017 CR2017-646):



Pre Servicing  
Agreement Template