



Planning Advisory Committee Report

Report Number: ENG2022-020
Meeting Date: June 8, 2022
Title: Pre-Servicing of Subdivision Lands Policy No. CP2018-009 Updates and Recommendations
Description: Pre-Servicing Policy and Agreement Template Updates
Type of Report: Regular Meeting
Author and Title: Christina Sisson, Manager, Development Engineering

Recommendation(s):

That Report ENG2022-020, **Pre-Servicing of Subdivision Lands Policy No. CP2018-009 Updates and Recommendations**, be received;

That the proposed updates to the current policy, substantially in the form attached as Appendix A, to Report ENG2022-020 be approved by Council, renumbered and placed in the Policy Manual in the new City format;

That the proposed template of the Pre-Servicing Agreement, substantially in the form attached as Appendix 'B' be approved by Council; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Back in 2003, the City adopted a Corporate Policy for Pre-Servicing of Subdivision Lands. The purpose of the policy was to establish the requirements for pre-servicing of vacant lands which have been granted draft plan approval within the City of Kawartha Lakes but prior to the execution of a subdivision agreement throughout the City of Kawartha Lakes. The pre-servicing occurs on the private property owned by the developer, primarily.

To provide clarity and transparency in the implementation of the pre-servicing through the policy and the agreement, attached as Appendix 'A' and Appendix 'B' respectively, there are some amendments recommended through this report.

Through reviewing and approving pre-servicing of subdivisions, the City facilitates the growth and development of our communities. The Owners have the same responsibilities and obligations, and the City will hold some security to ensure the works are completed.

Savings in both time and in communication transactions will facilitate the successful development and implementation. Therefore, pre-servicing provides timing and financial benefits to the developers/owners. The City benefits through the continued advancement of construction for development when the developers proceed to the Subdivision Agreement, the creation of lots, and the build out of the subdivision.

Rationale:

The pre-servicing process is part of the implementation of the subdivision development. The proposed amendments in the pre-servicing policy and agreement template are recommended based on the experience, reviews, consultations, and conditions that have been encountered with the engineering review of the pre-servicing requests over the last few years. The scenarios considered in these updates are as follows:

- There are draft plans of subdivision that include existing road allowances in the ownership of the City (unassumed, unimproved, and vacant).
- There are draft plans of subdivision that are predicated on the extension of external servicing that must take place on existing assumed municipal roads.

The following proposed changes reflect those areas of the agreement which can affect the approvals and the timely implementation of the development and are included in the attached draft policy and pre-servicing agreement template, as Appendix 'A' and 'B':

- Clarity of language, definition, roles, and responsibilities have been outlined.
- The insurance requirements are to be consistent with the wording in the latest registered subdivision agreement.
- The servicing approvals must be granted by the municipality through signing off on "for pre-servicing agreement" engineering detailed design drawings.

- In addition, the servicing approval must provide for the City's sign off on Form 1 for the municipal water infrastructure and must provide for the City's recommendation through the Ministry of the Environment, Conservation and Parks (MECP) Environmental Compliance Approval (ECA) (i.e. the Transfer of Review recommendation from the City for approval must be submitted to the MECP).
- The requirement for the zoning to be in place and confirmed by the City's Planning Division is included to support any requests for model homes/pre-registration homes.
- The requirements for a construction management plan, scheduling, and inspection are to be included.
- It is further recommended that the security amount reflect the investment required to ensure the works are completed properly. The recommendation is to secure for 100% of the total construction value of the works proposed on the existing municipal property within a draft plan of subdivision or on municipal property that is a component of the draft plan approval. This is to ensure the works are completed properly with the required investment. Security is taken at 100% for all works on municipal property through subdivisions and site plans currently.

Therefore, to ensure that the future public infrastructure is installed within a reasonable time frame and to specification with appropriate supervision and inspection, the pre-servicing policy as attached in Appendix 'A' is recommended.

There are no connections to the municipal systems permitted through pre-servicing to avoid any risk to the existing users.

The engineering review and compliance with the pre-servicing and pre-servicing agreement is routinely and regularly undertaken in an effort to provide project management support for the development implementation.

Other Alternatives Considered:

Council could choose to continue with the status quo and the current template of the pre-servicing agreement and the current policy. This would not represent the current practice and does not support clarity in the development process. The City is committed to continuous process improvement, growth, and economic recovery and support.

Alignment to Strategic Priorities:

All development is intended to support the community and typically aligns with the City's Strategic Priorities:

- A Vibrant and Growing Economy – provide support for construction and new housing opportunities in a timely manner

- An Exceptional Quality of Life – provide support for assumed infrastructure in a timely manner, including accessibility and trail connectivity
- A Healthy Environment – provide support and oversight for sediment and erosion controls and water quality control
- Good Government – provide clarity and transparency in registered agreements, consistent across the City, and timely processing

The municipality is encouraging the timely servicing of subdivision development lands in an effort to facilitate the opportunities for housing and further the timely assumption of municipal infrastructure and assets.

Financial/Operation Impacts:

The City benefits from a timely development of subdivisions. The infrastructure created facilitates the housing construction and commercial block development.

The City provides for savings in time, and ultimately money in supporting development and infrastructure engineering design review through a Transfer of Review agreement with the Ministry of Environment, Conservation and Parks (MECP) for Environmental Compliance Approvals (ECAs) for municipal sanitary, storm, and stormwater management infrastructure. The City also has a licensing agreement with MECP for review of municipal water infrastructure.

Servicing Comments:

As the City proceeds through Master Planning – Growth Management Strategy, Municipal Comprehensive Review, Master Servicing Study, Transportation Master Plan, Active Transportation Plan, and Trails Master Plan, and so forth, the pre-servicing of draft plans of subdivision will provide for more accurate and timely approved servicing capacities (i.e. what is built, what is connected, what is approved, what is outstanding, etc.).

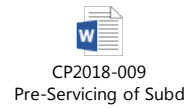
Through the City's Transfer of Review agreement for sanitary, storm, and stormwater infrastructure with the Ministry and the licensing arrangement for water through Form 1, we provide for a review of the compliance and conformance with the Ministry guidelines and the City guidelines which means we have the ability to recommend approval. Through this process we ensure the integrity of the infrastructure and confirm the processing of the approval. This saves time in the process and provides for assurance that the servicing ECA and Form 1 represent acceptable servicing design.

Consultations:

Not applicable

Attachments:

Appendix 'A' – Draft Policy with Tracked Changes



Appendix 'B' – Pre-Servicing Agreement Template (2022)



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Department Head: **Juan Rojas**

Department File: