



REPORT TO COUNCIL MEETING OF 20th MARCH 2018

FROM: Laurie Skrynyk
Director of Planning & Development

DATE: March 14, 2018

SUBJECT: Lot Grading Policy C.d. 028

FILE: 6001.23

PURPOSE

The purpose of this report is for Council to consider and approve the Lot Grading Policy C.d. 028.

BACKGROUND

Proposal: For Council to review and approve the Lot Grading Policy.

History: The Lot Grading Policy C.d. 028 was presented to Council on February 6, 2018. Council had questions regarding the Lot Grading Inspection and how it relates to Lot Grading Compliance. As such, Administration will be presenting a Power Point Presentation at the March 20, 2018 Council meeting addressing this issue.

DISCUSSION

Planning Department: The Planning Department has been reviewing existing Policies in relation to recent Municipal Government Act changes as well as creating policies recommended by Brownlee LLP in 2008. A Lot Grading Policy has been identified as a Policy that the Town should have in place.

Lot Grading Policy C.d. 028: The following is a brief description of the Policy:

The Lot Grading Policy establishes the process for the grading of lots within the Town including procedures around how compliance will be handled.

Essentially a developer/landowner will be required to submit a Lot Grading Plan for a lot where a permanent structure is going to be developed. The Lot Grading Plan will show the Town how the developer/landowner will shape and slope the lands to direct surface drainage away from structures and adjacent properties.

The Town will review Lot Grading Plans with Subdivision Design Grades, where applicable, and the Development Standards and Procedures to ensure the grading is appropriate.

Developers/landowner will then grade the lot in accordance with the approved Lot Grading Plan and submit a Lot Grading Certificate once the final grades are complete.

The Planning Department will review the Lot Grading Certificate and conduct a Lot Grading Inspection to ensure the as-built or final grades comply with the Lot Grading Plan and the Town's Development Standards and Procedures. Depending on the outcome of the review and inspection we will issue either a Lot Grading Compliance letter or Lot Grading Respecting Compliance letter as the case may be.

The Policy establishes a clear and concise process that provides assurance to the developer/landowner and the Town as to the expectations, requirements and process.

OPTIONS

- Option 1: Council could adopt the Policy as presented.
- Option 2: Council could require Administration to amend the Policy and bring it back for further consideration.
- Option 3: Council could decide to not adopt a formal Policy and continue to operate as we have.

RESOURCE IMPACTS

No Resource Impacts

POLICY IMPLICATIONS

A clear and concise Policy provides clear direction and protection to everyone involved i.e. developers, Administration and Council.

COMMUNICATIONS STRATEGY

In accordance with recent changes to the Municipal Government Act, the Town must publish a document listing the current planning policies and must describe how these policies relate to

existing statutory plans. This list is required to be published by January 1, 2019. The Planning Department will be preparing the list once a template has been made available to municipalities.

RECOMMENDATION TO COUNCIL

The Planning Department recommends Council adopt the Lot Grading Policy C.d. 028 as presented.

MOTION REQUESTED:

1. That Council adopts the Lot Grading Policy C.d. 028.

Attachments

1. Lot Grading Policy C.d. 028

Report Prepared by:



Laurie Skrynyk
Director of Planning & Development

Report Approved for Council by:

Brian Vance
Chief Administrative Officer



CATEGORY: Administrative
POLICY #: C.d.028
OWNER DEPT: Planning & Development
DATE APPROVED BY COUNCIL:
March 20, 2018

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TITLE: LOT GRADING

POLICY

Policy Statement

The Town of Slave Lake will ensure clear direction and procedures are maintained, followed and communicated with respect to Lot Grading.

Policy Objectives

The objectives of this policy are:

1. Ensure that Lot Grading for all lots within the Town of Slave Lake is developed in a cohesive and responsible manner limiting the impact to new and existing developments and lots.
2. Ensure that Lot Grading inspections and required follow-up correspondence are carried out in a timely fashion.
3. Ensure that Lot Grading adheres to the Town's Development Standards and Procedures.

Brian Vance, Chief Administration Officer

Date

TITLE: LOT GRADING

PROCEDURE

1.0 DEFINITIONS

1.01 Development Officer

Development Officer means a Development Officer of the Town of Slave Lake.

1.02 Development Standards and Procedures

Means the Town of Slave Lake's minimum design standards for the design, construction and installation of Municipal Improvements.

1.03 Final Grades

Final Grades means the as-built grades on a lot established once topsoil has been placed on top of the approved rough grade.

1.04 Grade

Grade means a gradient or slope.

1.05 Landowner

Landowner means the person shown as the owner of the land on the current Land Title.

1.06 Lot

Lot means any lands or property located within the Town of Slave Lake.

1.07 Lot Grading

Lot Grading means the shaping and sloping of the land to direct surface drainage away from structures and adjacent properties and toward a public road.

1.08 Lot Grading Certificate

Lot Grading Certificate means a post-construction stamped or sealed document that shows final grades of a lot in comparison with design grades that were previously approved by the Town of Slave Lake.

TITLE: LOT GRADING

PROCEDURE

1.09 Lot Grading Compliance

Lot Grading Compliance means a letter issued by the Town once it has been determined that the lot grading for a lot complies with the Lot Grading Plan, the Subdivision Design Grades, the Development Standards and Procedures and a Lot Grading Inspection.

1.10 Lot Grading Plan

Lot Grading Plan means a document submitted with the development permit application that shows existing and proposed grades for a lot.

1.11 Lot Grading Respecting Compliance

Lot Grading Respecting Compliance means a letter issued by the Town once it has been determined that the lot grading for a lot does not comply with the Lot Grading Plan, Subdivision Design Grades, the Development Standards and Procedures or a Lot Grading Inspection. A Lot Grading Respecting Compliance letter may also require the developer/landowner to alter the grades or correct deficiencies in the lot grading.

1.12 Permanent

Permanent means something that is lasting or intended to last or remain unchanged indefinitely.

1.13 Permanent Structure

Permanent Structure means a structure on the subject lands that is constructed and intended to be Permanent. Examples of Permanent Structures are, but not limited to, residential dwellings, detached garages, industrial, commercial and institutional buildings.

1.14 Property

Property means any lot or land located within the Town of Slave Lake.

1.15 Rough Grade

Rough Grade means the backfilling of the foundations walls and the shaping of a lot to conform to the Subdivision Design Grades, where applicable, and the approved Lot Grading Plan. Rough Grade does not include the placement of topsoil.

TITLE: LOT GRADING

PROCEDURE

1.16 Subdivision Design Grades

Subdivision Design Grades means a Lot Grading Plan for a subdivision, prepared in accordance with the Development Standards and Procedures, which has been approved by the Town of Slave Lake and establishes the grades on each lot within a subdivision.

1.17 Town

Town means the Town of Slave Lake.

2.0 RESPONSIBILITIES

2.01 Town Council:

Approves the Lot Grading Policy and any amendments thereto.

2.02 Chief Administrative Officer (CAO):

Ensures the Lot Grading Policy is implemented and followed.

2.03 Director of Planning & Development:

Ensures that Lot Grading for all lots within the Town is completed in accordance with the prevailing Development Standards and Procedures, Land Use Bylaw, Property Drainage Bylaw and the Lot Grading Policy.

3.0 STANDARDS/GUIDELINES

3.01 In accordance with the Development Standards and Procedures and the Land Use Bylaw, the Town of Slave Lake will require the submission of a Lot Grading Plan and a Lot Grading Certificate for any new developments that include a permanent structure.

3.02 The Town will ensure lots are graded in accordance with the Development Standards and Procedures, the Land Use Bylaw and the Property Drainage Bylaw and will work with developers/landowners to ensure compliance with current requirements.

3.03 The Town will provide a clear and transparent process that is communicated and followed by developers/landowners and the Town.

TITLE: LOT GRADING

PROCEDURE

4.0 POLICY PROCEDURES

LOT GRADING PLAN

- 4.01 Upon application for a development that will include any permanent structure, a Lot Grading Plan, prepared by an Alberta Land Surveyor or by a Professional Engineer, will be required. The Lot Grading Plan shall be prepared in accordance with the Development Standards and Procedures, the Subdivision Design Grades, where applicable, and Land Use Bylaw.
- 4.02 For all lots where Subdivision Design Grades exist, the Lot Grading Plan shall include existing and proposed grades and must respect the Grade Pattern i.e. split lot, rear to front, or front to rear grading that is established in the Subdivision Design Grades. The proposed grades should match the Subdivision Design Grades.
- 4.03 For all lots where Subdivision Design Grades do not exist, the Lot Grading Plan shall include existing and proposed grades and shall propose a Grade Pattern i.e. split lot, rear to front, or front to rear. Finally, the Lot Grading Plan shall demonstrate how the proposed grades will properly tie into the existing grades on adjacent properties.
- 4.04 Within ten (10) business days of receipt of a Lot Grading Plan the Development Officer will conduct a Lot Grading Plan Review. The Review will include the comparison of the Lot Grading Plan to the Subdivision Design Grades, where applicable and the Development Standards and Procedures.
- 4.05 If the Lot Grading Plan meets with the requirements of the Subdivision Design Grades, where applicable, and the Development Standards and Procedures the applicant is notified, in writing, that the Lot Grading Plan is acceptable.
- 4.06 If the Lot Grading Plan does not meet with the Subdivision Design Grades, where applicable, and the Development Standards and Procedures, the applicant is notified, in writing, of the deficiencies and is required to submit an amended Lot Grading Plan. Amended Lot Grading Plans will undergo the same review and process outlined in sections 4.02 to 4.05.

LOT GRADING CERTIFICATE

- 4.07 Upon completion of the Final Grades the developer/landowner shall submit a Lot Grading Certificate, prepared by an Alberta Land Surveyor or by a Professional Engineer, showing proposed grades, as approved on the Lot Grading Plan, and the final lot grades. The Lot Grading Certificate shall be prepared in accordance with the Development Standards and Procedures and shall contain all information necessary to properly evaluate the final lot grading.

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- 4.08 Lot Grading Certificates prepared a rough grade will not be accepted by the Town. The developer/landowner will be required to submit another Lot Grading Certificate prepared after final grades are achieved.
- 4.09 Within ten (10) business days of receipt of the Lot Grading Certificate the Development Officer shall conduct a Lot Grading Certificate Review. The review will include a comparison of the Lot Grading Certificate with the Lot Grading Plan, the Subdivision Design Grades, where applicable, and the Development Standards and Procedures.
- 4.10 Within ten (10) business days of receipt of the Lot Grading Certificate and once the Lot Grading Certificate Review is complete, the Development Officer will conduct a Lot Grading Inspection. This is a visual inspection of the final grades and will determine if the Lot Grading Certificate represents the physical on-site conditions. The Planning Department will conduct two (2) Lot Grading Inspections at no charge and all additional inspections thereafter will be charged at a rate established in the Planning and Development Fees Bylaw.
- 4.11 Within five (5) business days of conducting the Lot Grading Inspection outlined in Section 4.10, the Development Officer will inform the developer/landowner of the results of the inspection by issuing, in writing, either a Lot Grading Compliance letter or a Lot Grading Respecting Compliance. The Lot Grading Respecting Compliance letter shall indicate deficiencies and any required work.
- 4.12 Once the required work has been completed, as outlined in the Lot Grading Respecting Compliance letter in Section 4.11, another Lot Grading Inspection is conducted.
- 4.13 Within five (5) business days of conducting the Lot Grading Inspection outlined in Section 4.12, the Development Officer will inform the developer/landowner of the results of the inspection by issuing, in writing, either a Lot Grading Compliance letter or a Lot Grading Respecting Compliance letter. The Lot Grading Respecting Compliance letter shall indicate deficiencies and any required work.
- 4.14 If it is determined through the Lot Grading Plan Review and the Lot Grading Inspection outlined in Section 4.13 that the developer/landowner has completed the required alterations in order to correct the lot grading; and if it is determined that it is not reasonable and practical to achieve Lot Grading Compliance; a Lot Grading Respecting Compliance letter will be issued. This letter will advise the developer that they cannot achieve Lot Grading Compliance and as such will not be required to submit a new Lot Grading Certificate. The letter will further notify the developer/landowner that any and all liability associated with the non-compliance of the lot grading will be the responsibility of the landowner.

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PROCEDURE

- 4.15 Once snow has fallen on the ground and there is the presence of frost it is very difficult to determine if a lot is graded in accordance with the Lot Grading Certificate or the Development Standards and Procedures. Further, frost heaves can alter the overall appearance of the lot, therefore leading to a misrepresentation of the actual grades. As such, Lot Grading Inspections will not be conducted during winter months (i.e. Nov 1st to May 31st).
- 4.16 Lot Grading Certificates received during the winter months as outlined in section 4.15 will undergo a Lot Grading Inspection the following spring.