

**TOWNSHIP OF NORTH GLENGARRY
LOT GRADING BY-LAW**

BY-LAW # 48-2014

BEING A BY-LAW TO CONTROL GRADING AND DRAINAGE ON PROPERTIES LOCATED WITHIN URBAN AND RURAL SETTLEMENT AREAS AND ON PROPERTIES THAT ARE 0.4 HECTARE OR LESS IN SIZE.

WHEREAS the Building Code Act, 1992, chapter 23, as amended Section 7 (b), states municipalities can require building permit applications to be accompanied by such plans, specifications, documents and other information as prescribed by the municipality.

AND WHEREAS the Municipal Act, S.O. 2001, Chapter 25 as amended Section 11 (3) 6, gives municipalities the authority to pass by-laws with respect to drainage and flood control and Section 11 (2) 8, gives municipalities the authority to pass by-laws with respect to the protection of persons and property.

AND WHEREAS This grading and drainage policy applies to all building permit applications for development of lands located within Urban and Rural Settlement areas and on properties that are 0.4 hectares (1 acre) or less in size.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY ENACTS AS FOLLOWS:

1. **THAT** this by-law shall be known and cited as the “**Grading and Drainage By-law**”
2. **THAT** in this By-law,
 - a) “Council” shall mean the Council of the Corporation of the Township of North Glengarry;
 - b) “Municipality” shall mean The Municipality of the Township of North Glengarry;
 - c) “Development” means the construction, erection placing or *replacing* of one or more building or structures on land or the making of an addition or alteration of a buildings or structure that has the effect of substantially increasing the size of usability thereof;
3. **THAT** prior to the issuance of a building permit on a property located within a Urban or Rural Settlement area or on a property that is 0.4 hectares (1 acre) or less in size, a grading and drainage plan prepared by a professional that is acceptable to the Chief Building Official of the Township of North Glengarry must be submitted and approved by the Chief Building Official.
4. **THAT** the Grading and Drainage Plan will incorporate the following:
 - a) The legal description of the property including dimensions and civic number;
 - b) Location of proposed and/or existing municipal services;
 - c) Location of the proposed and/or existing public and private access and the dimensions;
 - d) The existing and proposed grading and drainage of the subject site;
 - e) The location and identification of all existing or proposed buildings;
 - f) The location, dimensions and footprint of the building as well as the total lot coverage, and
 - g) Dimensions between buildings and the property lines.
 - h) Drainage is to be directed away from all structures.
 - i) The minimum surface slope will be 2%.
 - j) Swales will be provided when:
 - k) Drainage flows are to be carried around buildings.
 - l) Drainage enters a lot from adjacent lands.
 - m) Swales will incorporate the following:
 - n) Minimum gradient of 1%.
 - o) Preferred maximum side slopes of 4:1, Maximum side slopes of 3:1.
 - p) Minimum depth of 200 millimetres.
 - q) Maximum depth of 600 millimetres.
 - r) Position swale, including side slopes fully within one lot.
 - s) A band, 1 metre in width, will be maintained at the side perimeter that matches the existing grade of abutting lands.
5. **THAT** grading plans will present the following:
 - a) A benchmark related to geodetic datum.

- b) Existing contours, based upon field elevations, for the area drained.
These contours should include sufficient of the adjacent land to delineate fully the area draining into the proposed development.
 - c) Existing and proposed drainage works.
 - d) Existing and final elevations of:
 - e) Lot corners
 - f) Road centerline at intersections, changes in gradient, and at a maximum spacing of 25 metres
 - g) Elevation of first floor.
 - h) Locations and details of swales.
 - i) Arrows indicating flow direction of surface water.
6. **THAT** as built drawings of the final grading and drainage will be required to be submitted to the Township of North Glengarry within 6 months of completion of the construction and site works. Financial securities or deposits will be released only upon receipt and approval of the submitted as built drawings.
7. **THAT** the Chief Building Official will be responsible for requesting grading and drainage plans associated with a building permit application. The Chief Building Official will have the authority to accept and approve the grading and drainage plans received.
8. **THAT** the Chief Building Official will be responsible for requesting the as-built drawings of the final grading and drainage. The Chief Building Official will have the authority to accept and approve the as – built drawings of the final grading and drainage in advance of releasing any financial securities or deposits.
9. **THAT** any deviation from any dimension shown on the plans provided pursuant to this By-law to a maximum of one metre, shall be permitted provided such deviation does not result in a violation of any provision of any By-law of the Municipality.
10. **THAT** in the event of conflict between the provisions of this By-law and any other By-law of the Municipality, the most restrictive provision shall prevail. This by-law comes into effect on the date of adoption by Council.
11. **THAT** this by-law 16-10 shall come into force and effect upon the final passing.

READ A FIRST, SECOND AND THIRD TIME, PASSED, SIGNED AND SEALED THIS 8th DAY OF SEPTEMBER 2014.

Daniel Gagnon – CAO

Chris McDonell - Mayor