



The Municipal Corporation of the Town of Fort Erie

OFFICE CONSOLIDATION
BY-LAW NO. 252-92, AS AMENDED
BY BY-LAW NOS. 124-96, 144-04 AND 49-05

**BEING A BY-LAW TO ADOPT A LOT GRADING AND
DRAINAGE POLICY FOR THE TOWN OF FORT ERIE**

WHEREAS Section 8 of the *Municipal Act, 2001* provides a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other *Act*, and

WHEREAS Section 9(1) of the said *Municipal Act* provides Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities,

- (a) to enable them to govern their affairs as they consider appropriate; and
- (b) to enhance their ability to respond to municipal issues, and

WHEREAS Section 9(2) of the said *Municipal Act* provides in the event of ambiguity in Sections 8 and 11, those sections shall be interpreted broadly to include rather than exclude municipal powers that existed on December 31, 2002, and

WHEREAS Section 9(3) of the said *Municipal Act* provides inter alia without limiting the generality of subsections (1) and (2), a by-law under Section 11 respecting a matter may

- (a) regulate or prohibit respecting the matter; and
- (b) as part of the power to regulate or prohibit respecting the matter, require persons to do things respecting the matter, provide for a system of licences, permits, approvals or registrations respecting the matter and impose conditions as a requirement of obtaining, continuing to hold or renewing a licence, permit, approval or registration, and

WHEREAS Item 6 in the Table following subsection 11(2) of the *Municipal Act, 2001* provides that a lower-tier municipality and an upper-tier municipality may pass by-laws respecting matters within the sphere of jurisdiction for drainage and flood control, except storm sewers, and

WHEREAS Section 96 of the *Municipal Act, 2001* provides despite Section 19 a municipality may, for the purpose of preventing damage to property in the municipality as a result of flooding, exercise its powers under the "drainage and flood control" sphere of jurisdiction in relation to flood control in the municipality, in another municipality or in unorganized territory, and

WHEREAS Section 97 of the said *Act* provides a municipality may enter on land, at reasonable times, to inspect the discharge of any matter into a land drainage system of any person and may conduct tests and remove samples for this purpose," and

**OFFICE CONSOLIDATION OF BY-LAW NO. 252-92, AS AMENDED –
To Adopt a Lot Grading and Drainage Policy for the Town of Fort Erie**

**SCHEDULE "A" TO TOWN OF FORT ERIE BY-LAW NO. 252-92, AS AMENDED
PASSED THIS 9TH DAY OF NOVEMBER, 1992**

THE CORPORATION OF THE TOWN OF FORT ERIE

LOT GRADING

AND

DRAINAGE POLICY

1992

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OBJECTIVES OF THE POLICY

The following statements of objectives of the Lot Grading and Drainage Policy for Subdivisions are used as a premise upon which the policy contained herein is based.

1. To ensure the establishment and certification of a cost-effective grading scheme for development lands by means of relative ground elevations in accordance with good drainage practices.
2. To enable the establishment of a point in time up to which the Town and Subdivider/Developer/Builder are responsible for the establishment of the grading scheme and after which the maintenance of the grading and drainage becomes the Owner's responsibility.
3. To ensure maintenance of, or acceptable revisions to, the grading and drainage scheme established on lands developed under this policy through the Building Permit applications for future works which require excavation (ie. garages, swimming pools, building additions, etc.).
4. To ensure surface drainage is self-contained within the lands being developed and to insure surface drainage from or on adjacent lands is accommodated or not adversely affected.
5. To ensure grading, drainage and building construction should be such that storm water does not enter the sanitary sewer system.
6. To facilitate grading and drainage on lands developed under this policy are congenial with nature and thus preserve the natural terrain as much as possible.
7. To ensure that grading and drainage schemes include erosion and sediment control measures where applicable.

REQUIREMENTS UNDER THE POLICY

All Subdivision Agreements for development of Subdivisions in the Town of Fort Erie shall include the following requirements. These requirements apply to the entire Subdivision including blocks even though blocks are under Site Plan Control. Blocks should be rough graded to be compatible with the adjacent lands of the Subdivision.

1. **SUBDIVISION GRADING REQUIREMENTS**

1.1 **Preparation of Subdivision Grade Control Plan**

- (a) The Subdivider/Developer shall have prepared, as part of the engineering drawings for the Subdivision, a "Subdivision Grade Control Plan" for the purpose of controlling the overall drainage pattern through the establishment of relative surface elevations in accordance with good drainage practices.
- (b) At the time of execution of the Subdivision Agreement, the Subdivider shall convey to the Town, at his expense and in a form satisfactory to the Town's Solicitor, easements for all rear yard catchbasins and leads.

These easements shall typically be centred on the lot line and will be a minimum of 3 metres in width.
- (c) The Subdivision Grade Control Plan is to be prepared in conformance with Part 7 of this policy, "Technical Requirements for Subdivision Grade Control Plans".
- (d) The completed Subdivision Grade Control Plan, shall be approved by the Director of Public Works, or designate.
- (e) The approved Plan along with any approved revisions will be maintained on file by the Director of Public Works, or designate.

1.2 **Review Fee**

- (a) The fee for reviewing the Subdivision Grade Control Plan shall be included in the Engineering Costs as detailed in the applicable financial appendix of the Subdivision Agreement, and shall be paid to the Town by the Subdivider when the Subdivision Agreement is executed.

1.3 Subdivider's Grading Deposit

- (a) At the time of execution of the Subdivision Agreement or phase thereof, the Subdivider shall deposit with the Town as surety for carrying out the provisions of the Subdivision Grade Control Plan as stipulated in Section 1.6 of this policy and a deposit of (*) per lot and/or (*) per acre of blocks within the Plan of Subdivision with a maximum deposit of (*) for the entire Subdivision or phase. The deposit shall be either cash, or a letter of credit in a form suitable to the Town. This Subdivider's Grading Deposit shall be returned to the Subdivider upon completion of works as set out in Section 1.6 and receipt by the Town of a Grading Conformance Certificate prepared and signed by an Ontario Land Surveyor or Professional Engineer.
- (b) Should drainage problems arise which are as a result of non-compliance to the requirements of this policy, the Town will give the Subdivider 48 hrs. notice to correct the problems. Upon failure of the Subdivider to rectify the problems, the Town will use the Subdivider's Grading Deposit to cover the costs of any remedial works deemed necessary. Any costs of these remedial works in excess of the amount of the Subdivider's Grading Deposit shall be the responsibility of the Subdivider.

1.4 Subdivider's Responsibility

- (a) It shall be the Subdivider's responsibility to ensure that the grading of lots within the Subdivision is in accordance with the latest revision of the "Subdivision Grade Control Plan". In this regard, the Subdivider shall ensure that all offers to purchase lots within the Subdivision include a statement outlining the responsibility of subsequent Owners to adhere to the Town's Lot Grading and Drainage Policy for Subdivisions.

1.5 Revisions to Subdivision Grade Control Plan

- (a) Prior to acceptance of the Subdivision by the Town, any requests for revisions to the Subdivision Grade Control Plan to accommodate proposed or as-constructed deviations from the Plan shall be made by the Subdivider, to the Town, in writing.
- (b) A revision will only be granted if deemed reasonable and is approved by the Director of Public Works, or designate.

(*) SEE SCHEDULE "A"

1.6 Grading Requirements Prior to Building Permits

The following grading works shall be completed prior to the issuance of any Building Permits:

- (a) installation to grade of all rear yard catchbasins including connections to the main sewers.
- (b) rough grading of all lots and blocks to generally conform to the "Subdivision Grade Control Plan".
- (c) construction and sodding of all drainage swales and other erosion control devices deemed necessary by the Town (subject to weather conditions).

2. LOT GRADING REQUIREMENTS AND DEPOSIT

2.1 Proposed Lot Grading Plans

- (a) Prior to issuance of a Building Permit for each lot, the Builder shall submit to the Town a surety for carrying out the provision of the Lot Grading Plan in the amount of (*) per lot and/or (*) per acre for each block within the Subdivision Grade Control Plan.
- (b) Prior to the issuance of a Building Permit for each lot the Builder shall submit to the Town three copies of a Proposed Lot Grading Plan which shall conform to the "Subdivision Grade Control Plan".
- (c) The Lot Grading Plan shall be prepared by a professional engineer or an Ontario Land Surveyor and must be approved by the Subdivider's Consulting Engineer before being submitted to the Town.
- (d) The Plan must take into consideration among other factors the suitability of the type of building proposed on a lot or block and must illustrate the "specific lot grading type" (See Plates 1 & 1A annexed hereto).
- (e) The Lot Grading Plan is to be prepared in conformance with Part 8 of this policy, "Technical Requirements for Lot Grading Plans".

(*) SEE SCHEDULE "A"

- (f) Where a revision to the "Subdivision Grade Control Plan" is necessary to accommodate a proposed grading Plan the Builder must submit the request for a revision through the Subdivider in accordance with Article 1.5 of this policy. The request for a major revision to the "Subdivision Grade Control Plan" shall be accompanied by supporting documentation assuring that adjacent lands will not be adversely affected.
- (g) Should drainage problems arise which are as a result of non-compliance to the requirements of this policy, the Town will give the Builder 48 hrs. notice to correct the problems. Upon failure of the Builder to rectify the problems, the Town will use the Builder's Grading Deposit to cover the costs of any remedial works deemed necessary. Any costs of these remedial works in excess of the amount of the Builder's Grading Deposit shall be the responsibility of the Builder.
- (h) Upon acceptance by the Town that the proposed Lot Grading Plan conforms to this policy, a copy will be returned to the applicant.

2.2 Construction Requirements

- (a) It is the Builder's responsibility to ensure that the footings and foundations are constructed at the proper elevation to ensure that the final grading will be in compliance with the approved Grading Plan.
- (b) The grading of a lot shall be considered to be completed when the building has been erected and the lands have been graded and sodded, and/or seeded. Sodding and/or seeding shall be done within two months after occupancy of the building, or by the next June 1st following occupancy should occupancy take place after November 1st.

60 days after occupancy or the following June 1 if...occupancy takes place after Nov. 1

2.3 As-Constructed Lot/Grading Plan

- (a) Upon completion of the grading as noted in Article 2.2, prior to landscaping or fencing, the Builder shall be required to submit to the Town one copy of the Lot Grading Plan which shall indicate the finished elevation of the grade control points as shown on the proposed Lot Grading Plan (See Plate 2 annexed hereto).

- (b) This As-Constructed Lot Grading Plan shall be prepared and certified by a Professional Engineer or Ontario Land Surveyor.
- (c) Where a revision to the "Subdivision Grade Control Plan" is necessary, the Builder must submit the request for a revision, in writing, through the Subdivider in accordance with Article 1.5 of the policy.

2.4 Grading Conformance Certificate and Declaration

- (a) The "as-constructed" grading of a lot shall be certified and signed by an Ontario Land Surveyor or Professional Engineer certifying that the lot grading as proposed will function properly and satisfy the objectives of the Town of Fort Erie Lot Grading Policy By-law No. 252-92 as amended from time to time and where such has occurred, the Lot Grading Plan shall be accepted and dated by the Town as the "Grading Conformance Certificate."
- (b) The date on the Grading Conformance Certificate shall mark the end of the Town's and Subdivider's/Developer's/Builder's responsibility and establish the beginning of the Owner's responsibility to maintain the grading and drainage scheme.
- (c) The Builder/Agent for the Builder identified on the building permit application shall be accountable for the satisfactory completion of the lot grading and accordingly, the Builder or Agent for the Builder shall execute the Lot Grading Declaration and Undertaking annexed hereto as Schedule "2". If the Builder or Agent for the Builder and the Purchaser of the home are prepared to transfer responsibility for the lot grading as approved pursuant to the provisions of the by-law, the transfer shall occur in accordance with the completion of the Purchaser's Declaration and Undertaking annexed hereto as Schedule "3" to this by-law. A fee of Fifty Dollars (\$50.00) shall be charged by the Town to the Builder/Purchaser for the transfer of responsibility of the lot grading and such fee shall recover costs associated with refunding the Lot Grading Deposit to the original Builder or Applicant, where applicable and the cost to provide the Purchaser with a copy of the proposed Lot Grading Plan and the Lot Grading Policy of the Town of Fort Erie.

3. **RELEASE OF BUILDER'S LOT GRADING DEPOSIT**

- (a) Upon issuance of the Grading Conformance Certificate by the Town, the Builder may apply in writing for release of the Lot Grading Deposit. Less any cost, if any, for remedial work performed by the Town under Section 2.1(g).

4. **NEW CONSTRUCTION AFTER ACCEPTANCE OF SUBDIVISION**

The construction of a new house on a lot within the Subdivision, after acceptance of the Subdivision by the Town, shall be subject to all the requirements of this policy. However, the Builder of the lot will be required to deposit with the Town a (*) Lot Grading Deposit at the time of Building Permit application. The Lot Grading Deposit will be returned upon certification by the Town of the Grading Conformance Certificate, all in accordance with Parts 2 and 3 of this policy.

(*) SEE SCHEDULE "A"

5. **REDEVELOPMENT AND INFILLING**

Redevelopment and infilling proposals in developed areas not subject to a Subdivision Agreement or Site Plan Control shall be subject to this policy to ensure the grading associated with the development/redevelopment is designed and constructed to be compatible with the adjacent lands (See Plate 1B in conjunction with Plate 1 and 1A annexed hereto). In this regard, the Owner of the lands will be required to adhere to the requirements of this policy with respect to submission of a Lot Grading Plan and Grading Performance Deposit at the time of Building Permit application. The Grading Performance Deposit will be returned upon certification of the Grading Conformance Certificate (See Plate 2 annexed hereto).

6. **REVISIONS TO GRADING AFTER ISSUANCE OF GRADING CONFORMANCE CERTIFICATE**

As stated in Section 2.4 of this policy, the maintenance of the grading after issuance of the Grading Conformance Certificates is the responsibility of the Owner. Therefore, any revisions to the grading and drainage scheme established on the lands developed under this policy will be subject to the following requirements:

- (a) (i) Prior to the issuance of a Building Permit for any works which necessitate excavation (garages, swimming pools, building additions, etc.), the Owner or Builder shall submit to the Town a proposed Lot Grading Plan which indicates the proposed grading changes (if any).
- (ii) Notwithstanding the provisions of this Section, applications for additions and garages of less than 20 square metres and more than 3 metres from the property line shall be exempt from the requirement of a Lot Grading Deposit provided a Lot Grading Plan indicates no changes to the existing grades.

215 sq.ft.

- (b) If changes are proposed to the grading which will affect the established drainage:
- (i) submission of the proposed Lot Grading Plan shall be accompanied with a Lot Grading Deposit in the amount of (*).
 - (ii) upon completion of the works and grading including restoration (sodding or preparation for seeding) the Owner shall submit to the Town an As-Constructed Lot Grading Plan indicating the finished grades in accordance with Section 1.5.
 - (iii) upon acceptance by the Town that the grading conforms to the Subdivision Grade Control Plan, the As-Built Lot Grading Plan shall be certified by the Town as the revised Grading Conformance Certificate, and the Lot Grading Deposit shall be returned to the Owner.

(*) SEE SCHEDULE "A"

(iv) upon failure of the Owner to rectify drainage problems which are as a result of non-compliance to the requirements of this policy. The Town will use the Lot Grading Deposit to cover the cost of any remedial works deemed necessary by the Town. Any costs of these remedial works in excess of the amount of the Lot Grading Deposit shall be the responsibility of the Owner.

- (c) The completed Subdivision Grade Control Plan, as revised, shall be approved by the Director of Public Works or his designate.
- (d) Failure of the Builder to satisfy the requirements of this by-law within ten (10) years of the date of submission of the proposed Lot Grading Plan shall result in a forfeiture to the Town of any associated Lot Grading Deposit as required herein.
- (e) No changes to the approved Lot Grading Plan shall be considered without the Ontario Land Surveyor or Professional Engineer's written consent.

7. TECHNICAL REQUIREMENTS FOR SUBDIVISION GRADE CONTROL PLANS

Prior to the acceptance of a Subdivision by the Town of Fort Erie, the Subdivider shall reconfirm to the Town in writing that all lots are in conformance with the Subdivision Grade Control Plan.

Subdivision Grade Control Plans shall be prepared in conformance with this part, and with regard to the Design Guidelines set out in Part 9 of the policy.

The Subdivision Grade Control Plan shall be prepared at a scale of 1:500 max., be on a standard A1 (596 mm x 841 mm) size sheet, and clearly illustrate the following:

- (a) legend, north direction, name of Subdivision, geodetic bench mark(s), date of preparation of Plan and any subsequent revisions clearly identified in the revision column.
- (b) property boundaries and lot and block numbers or designations.
- (c) existing and proposed contours and elevations.
- (d) existing elevations and drainage from lands adjacent to the Subdivision and if the drainage from these lands is towards the proposed Subdivision, the existing information shall be obtained to the high point of this drainage or at least to the adjacent street.
- (e) location of sewer manholes, hydrants, sidewalks, catchbasins and rear yard catchbasins.
- (f) proposed elevations at the centre line of the finished road and relative data showing distances and slopes between these elevations.
- (g) existing and proposed ground elevations at the corner of each lot or block with suitable intermediate elevations as required.
- (h) existing and proposed ground elevations at the house.
- (i) location, elevation, and longitudinal slopes at the invert of swales together with rear yard catchbasin elevations and drainage arrows showing the direction of swale drainage.
- (j) the lot grading type of each lot or block with arrows to indicate the direction of surface drainage (See Plate 1 annexed hereto).
- (k) any drainage obstruction such as berms, retaining walls, sound barriers, silt traps, vegetation, etc.
- (l) artificial or natural impoundments.
- (m) existing trees and vegetation as they affect proposed drainage and catchbasin schemes and which are to be saved.
- (n) if any lots or blocks are not suitable for the construction of certain types of buildings or features (i.e. split-levels, walkout basements, etc.) because of the grading and drainage pattern, this should be clearly indicated on the Plan.

8. **TECHNICAL REQUIREMENTS FOR INDIVIDUAL LOT GRADING PLANS**

Lot Grading Plans for individual lots shall be prepared in conformance with this part, and with regard to the Design Guidelines set out in Part 9 of the policy.

1. The Plan shall be at a scale of 1:200 max.
2. The Lot Grading Plan shall be on a legal size sheet, or a standard A1 size sheet if required.
3. The Plan shall include the identification and certification information shown on Plate 2.
4. The Plan shall clearly illustrate the following (See Plate 2 annexed hereto):

4.1 General Information

- (a) shape and dimensions of lot.
- (b) house location and shape (type).
- (c) abutting street name(s).
- (d) existing or proposed curbs, catchbasins, sidewalks, utility plant, hydrants, driveway location(s) within the municipal road allowance.
- (e) proposed walk ways, patios, decks, porches, chimneys, environmental control units (air conditioners, heat pumps, etc.), swimming pools, etc.
- (f) existing trees to be saved.
- (g) location of proposed entrances, outside stairwells and window-wells.
- (h) location of easements for rear yard catchbasins, land leads or other utilities.

4.2 Drainage and Grading Information

- (a) specific lot grading with drainage arrows to indicate direction of surface drainage flow.
- (b) location and direction of flow of swales.

- (c) existing or proposed geodetic ground elevations at each corner of the lot, at high and low points, at changes in slope of ground, where a change in the direction of flow occurs, at the corners of the house, and at entrances to outside stairwells.
- (d) existing or proposed elevation of the centre line of road, sidewalk or top of ditch abutting the subject lands.
- (e) elevations of top of footing, top of the foundation wall, and ground floor.
- (f) elevations for finished garage floor and entrance elevations if different from floor elevations.
- (g) elevation of rim of any rear yard or on site catchbasin(s) to which flow from the lot is directed.
- (h) for infill lots and perimeter lots of Subdivisions, existing elevations of adjacent lots (minimum of 15 metres from subject lot) and drainage patterns shall be indicated (See Plate 1B annexed hereto).

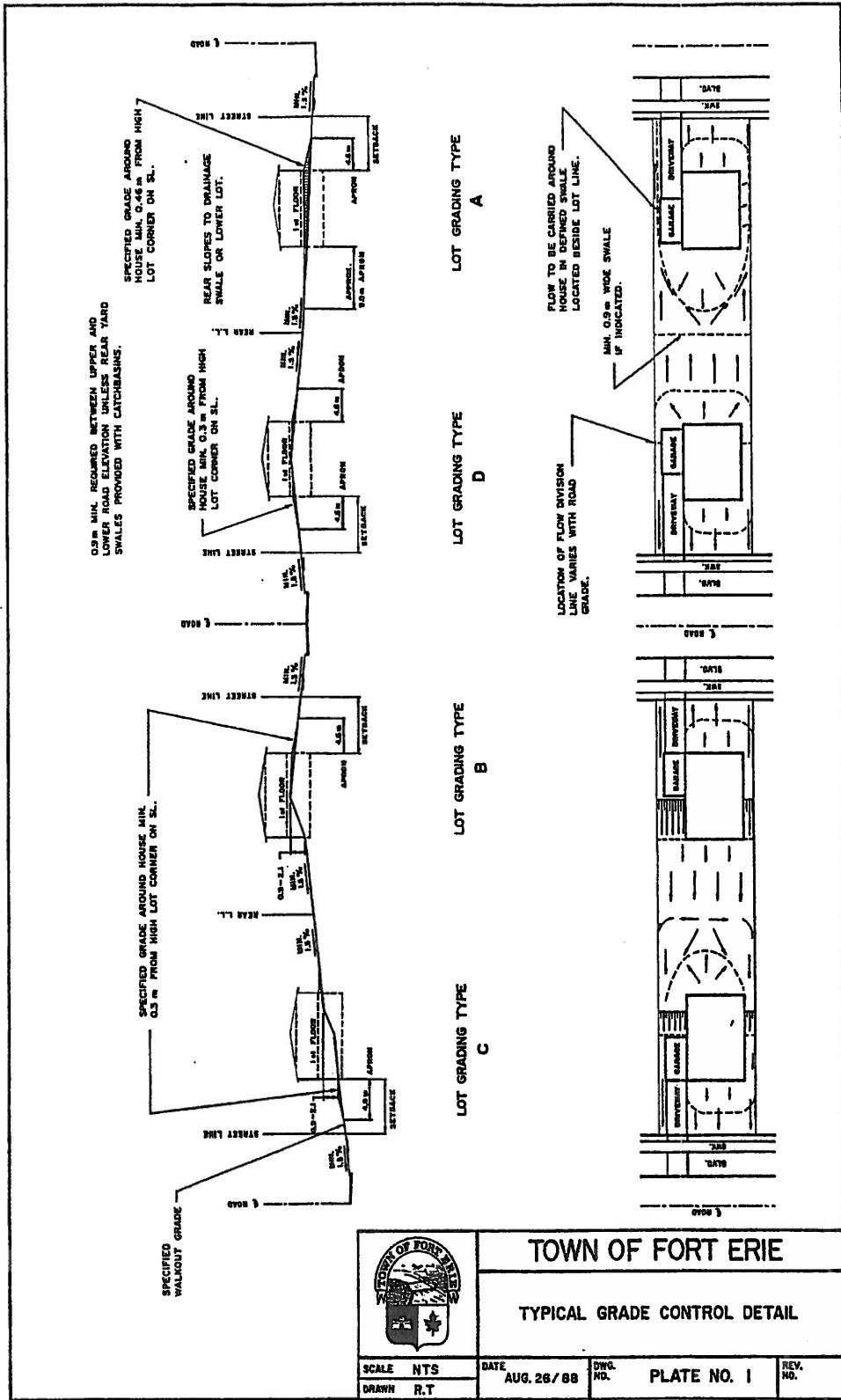
9. **DESIGN GUIDELINES FOR SUBDIVISION LOT GRADING**

The following guidelines should be considered when designing the grading on lots. Many of the guidelines set out are illustrated in the sample drawings in the appendix.

- (a) All surface drainage, including downspout discharge, shall be directed away from the building(s), including adjacent existing or future buildings.
- (b) Unless otherwise stipulated, the lot shall have a minimum slope of 1.5% and a maximum slope of 6%. Slopes greater than 6% can be achieved by combining a 6% maximum slope with a 3 to 1 slope at the rear of the lot/block (See Plates 3 & 4 annexed hereto).
- (c) Should the average slope exceed 10%, the Director of Public Works/or designate may require a retaining structure to reduce the grade differential to an acceptable amount. Notwithstanding the above, elevation changes exceeding one metre in height shall require a retaining structure (See Plate 3 annexed hereto).
- (d) The maximum slope between the dwelling unit and the side property line shall be 3 to 1. Otherwise, appropriate steps or retaining structures shall be required (See Plate 4 annexed hereto).
- (e) Terraces between lots/blocks shall be located on the lower lot with the top of the terrace slope at the lot line (See Plate 3 annexed hereto).

- (f) Drainage flows shall be confined to defined swales which shall be located as far from the dwelling units as possible (See Plate 5 annexed hereto).
- (g) Swales shall have a desirable minimum grade of 2%, an absolute minimum of 0.5% and a maximum grade of 6% (See Plate 4 annexed hereto).
- (h) The swale depth shall not be less than 150 mm and shall not exceed 600 mm. A desirable swale depth shall be 200 mm (See Plate 4 annexed hereto).
- (i) The side slope of swales shall not be steeper than 3 to 1 (See Plates 3 & 4 annexed hereto).
- (j) The alignment of swales shall not change more than 45 degrees unless otherwise approved (See Plate 5 annexed hereto).
- (k) Rear and side yard swales shall:
 - (i) Not be centred upon lot lines and must be located fully on subject lots (See Plate 5 annexed hereto).
 - (ii) Be located entirely on the subject lot/block if the adjoining land is outside the Subdivision or is a block within the Subdivision (See Plate 5 annexed hereto).
- (l) The maximum length of a rear yard swale from the high point to the outlet (rear yard catchbasin or other suitable outlet) shall be 70 metres unless otherwise approved. This maximum length of swale may be varied at the discretion of the Director of Public Works or designate depending on lot size, topography, and drainage area (See Plate 5 annexed hereto).
- (m) The maximum flow allowed in a side yard swale shall be that from two backyards.
- (n) Generally speaking, all semi-detached and minimum sized lots shall have rear lot drainage schemes. Sideyard swales shall only be permitted with approval of the Director of Public Works if the construction of such swales could be accommodated properly.
- (o) The minimum grade on driveways shall be 1.0%. The desirable maximum grade on driveways shall be 6%.
- (p) Depressed driveways sloping toward the dwelling units are generally discouraged and require special approval and storm sewer design considerations as specified in the Subdivision Agreement.
- (q) Side and back entrances and stairwells shall not be located adjacent to main swales or downspouts.

- (r) Window-wells should preferably be avoided but where they are required, special care shall be taken to insure that surface water from overland flow and from other sources such as downspouts shall not enter these wells. The edge of the window-well shall be higher than the adjacent ground.
- (s) Downspouts must discharge via splash pads (concrete or other suitable material) to grass surfaces. These splash pads shall extend a distance at least 1.2 metres away from the building.
- (t) Downspouts must direct the flow away from the building, not onto walks or driveways and not towards adjacent property.



TOWN OF FORT ERIE

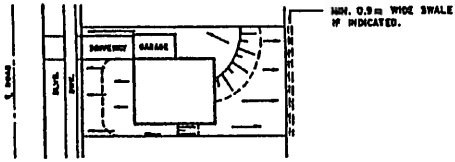
TYPICAL GRADE CONTROL DETAIL

SCALE NTS
DRAWN R.T.

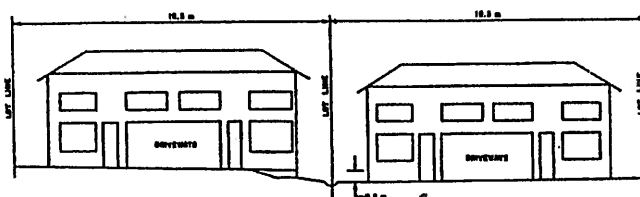
DATE AUG. 26 / 88

DWG. NO. PLATE NO. 1

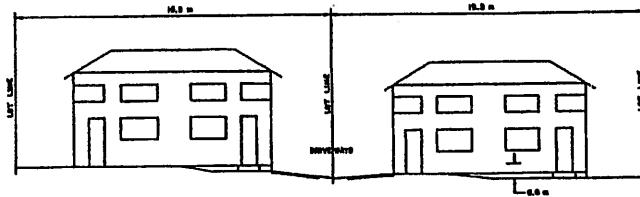
REV. NO.



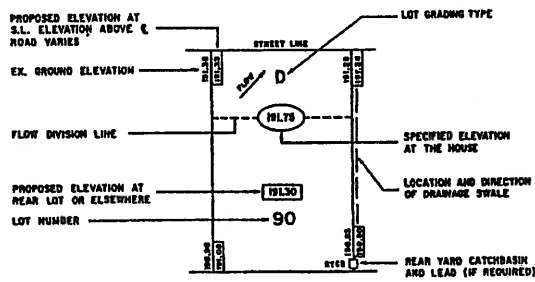
LOT GRADING TYPE
E



DETAIL OF SEMIS ON TERRACES
(DIFFERENCE OF ELEV. > 1.5)



ALTERNATE SECTION



TOWN OF FORT ERIE

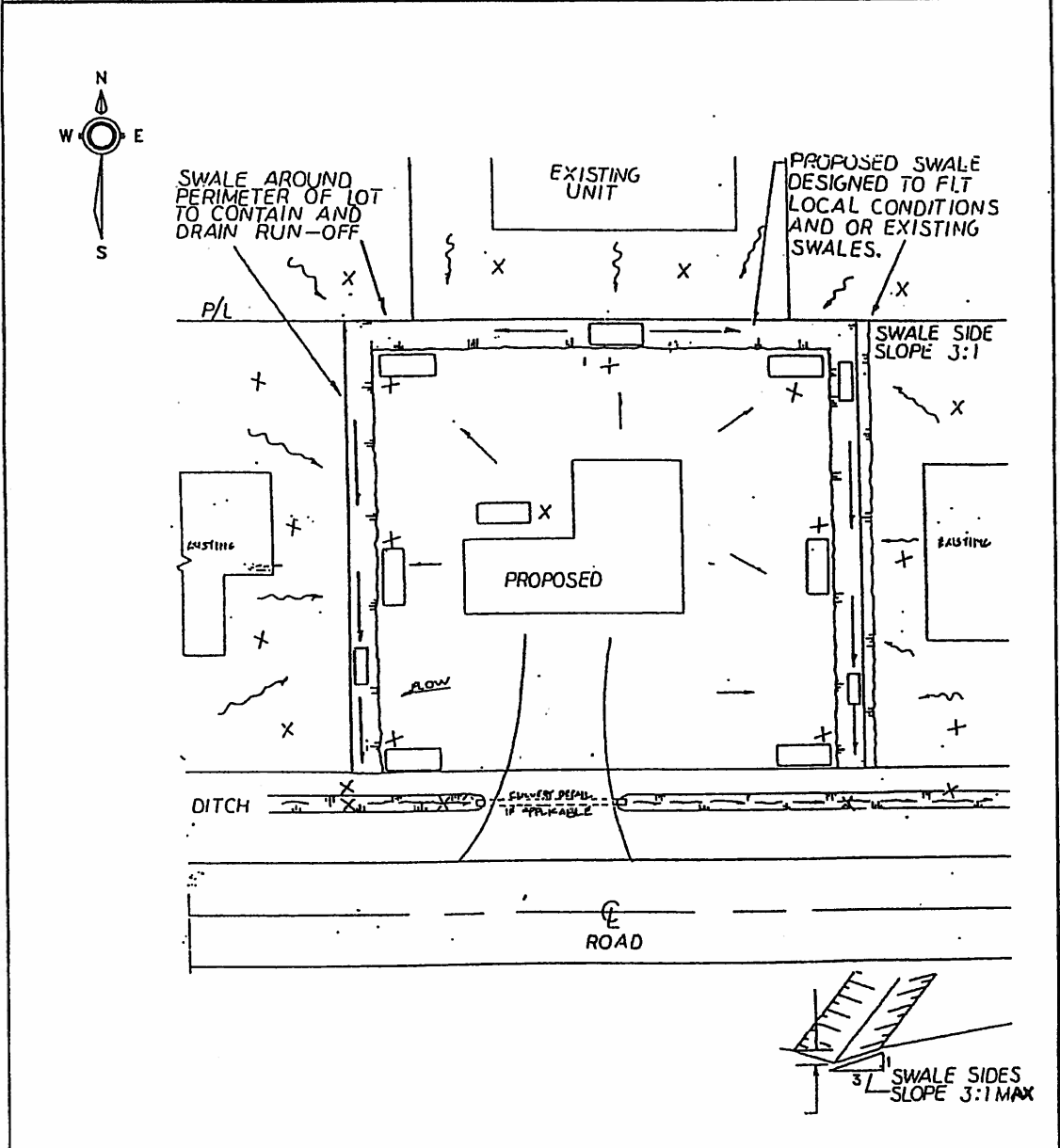
TYPICAL GRADE CONTROL DETAIL

SCALE	NTS	DATE	AUG. 26/88	DRW. NO.	PLATE NO. 1A	REV. NO.
DRAWN	R.T.					

TOWN OF FORT ERIE

INDIVIDUAL LOT GRADING CERTIFICATE

LOT NO _____ REGISTERED PLAN NO _____ SUBDIVISION NAME _____
 STREET & NO _____ BUILDING PERMIT NO _____
 BUILDER _____ OWNER _____
 ADDRESS _____ ADDRESS _____
 GENERAL GRADE CONTROL PLAN NO _____ REVISION DATE _____
 BENCHMARK (Location & Elevation) _____



LEGEND		PROPOSED	
198.00 EXISTING GROUND ELEVATION DATE LEVELS TAKEN _____	— DRAINAGE DIRECTION	APRON ELEVATION 198.00	(198.00)
198.00 PROPOSED ELEVATIONS	— SETBACK MEASUREMENT	MAIN FLOOR ELEVATION 198.00	
(198.00) FINISHED ELEVATIONS DATE LEVELS TAKEN _____	— DOWNSPOUT & DIRECTION OF DISCHARGE	TOP OF FOUNDATION 198.00	
	— EXISTING DRAINAGE PATTERN	TOP OF FOOTING 198.00	

PROPOSED GRADING CERTIFICATE

I HEREBY CERTIFY THAT THIS PROPOSED BUILDING WILL BE COMPATIBLE WITH THE PROPOSED GRADING AND THE OBJECTIVES OF THE LOT GRADING AND DRAINAGE POLICY.

FURTHER, I CERTIFY THAT PRE EXISTING DRAINAGE ONTO THIS PROPERTY HAS BEEN ACCOMMODATED AND THAT ALL DRAINAGE SHALL BE DIRECTED TO AN ACCEPTABLE OUTLET.

NAME _____

SIGNATURE _____

DATE _____

FILED BY TOWN _____

DATE _____

AS CONSTRUCTED GRADING CERTIFICATE

I HEREBY CERTIFY THAT I HAVE TAKEN THE FINISHED ELEVATIONS SHOWN (198.00) WITH RESPECT TO THE GRADING OF THIS LOT.

FURTHER, I HEREBY CERTIFY THAT THE LOT GRADING AS CONSTRUCTED SATISFIES THE OBJECTIVES OF THE LOT GRADING AND DRAINAGE POLICY OF THE TOWN OF FORT ERIE, BYLAW 252-92 AS AMENDED.

NAME _____

SIGNATURE _____

DATE _____

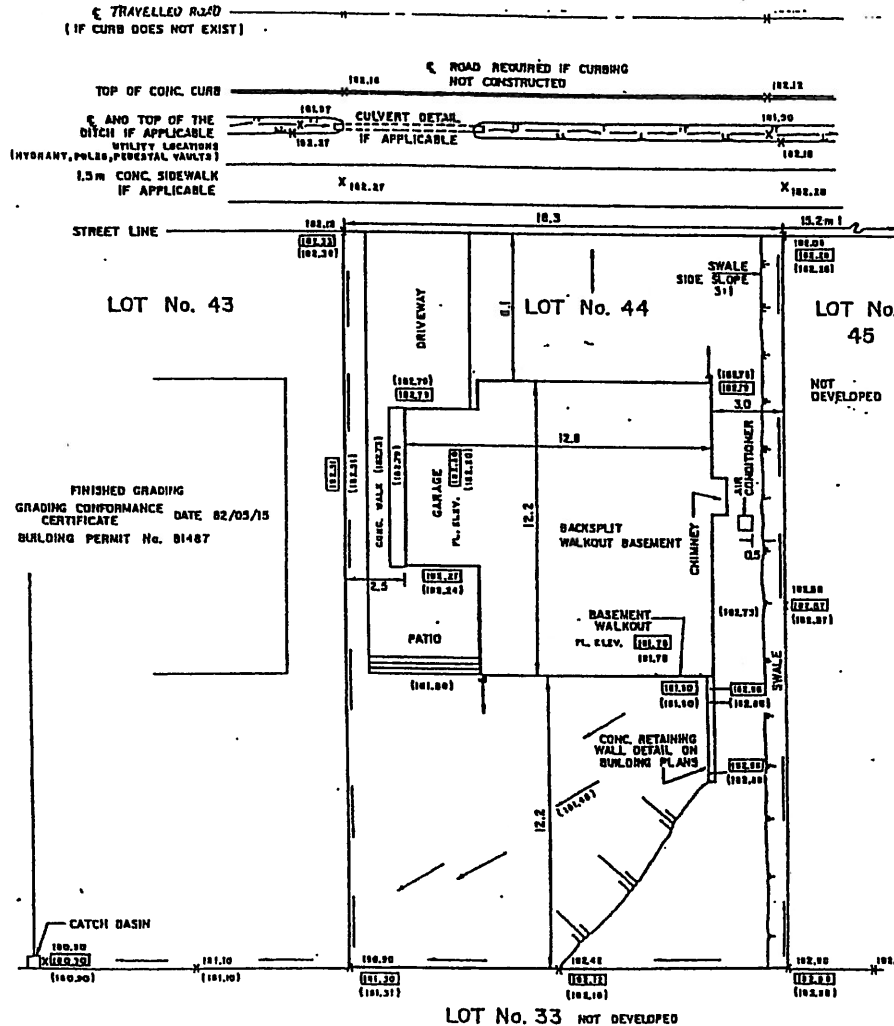
FILED BY TOWN _____

DATE _____

TOWN OF FORT ERIE

INDIVIDUAL LOT GRADING CERTIFICATE

LOT NO _____ REGISTERED PLAN NO _____ SUBDIVISION NAME _____
 STREET & NO _____ BUILDING PERMIT NO _____
 BUILDER _____ OWNER _____
 ADDRESS _____ ADDRESS _____
 GENERAL GRADE CONTROL PLAN NO _____ REVISION DATE _____
 BENCHMARK (Location & Elevation) _____



LEGEND

198.00 EXISTING GROUND ELEVATION
 DATE LEVELS TAKEN _____
 198.00 PROPOSED ELEVATIONS
 198.00 FINISHED ELEVATIONS
 DATE LEVELS TAKEN _____

--- DRAINAGE DIRECTION
 --- SETBACK MEASUREMENT
 --- DOWNSPOUT & DIRECTION OF DISCHARGE
 --- EXISTING DRAINAGE PATTERN

PROPOSED

APRON ELEVATION 198.00
 MAIN FLOOR ELEVATION 198.00
 TOP OF FOUNDATION 198.00
 TOP OF FOOTING 198.00

PROPOSED GRADING CERTIFICATE

I HEREBY CERTIFY THAT THIS PROPOSED BUILDING WILL BE COMPATIBLE WITH THE PROPOSED GRADING AND THAT THE PROPOSED GRADING CONFORMS TO THE LATEST REVISION OF THE GENERAL GRADE CONTROL PLAN FOR THIS SUBDIVISION.

NAME _____
 SIGNATURE _____
 DATE _____
 FILED BY TOWN _____
 DATE _____

AS CONSTRUCTED GRADING CERTIFICATE

I HEREBY CERTIFY THAT I HAVE TAKEN THE FINISHED ELEVATIONS SHOWN (198.00) WITH RESPECT TO THE GRADING OF THIS LOT.

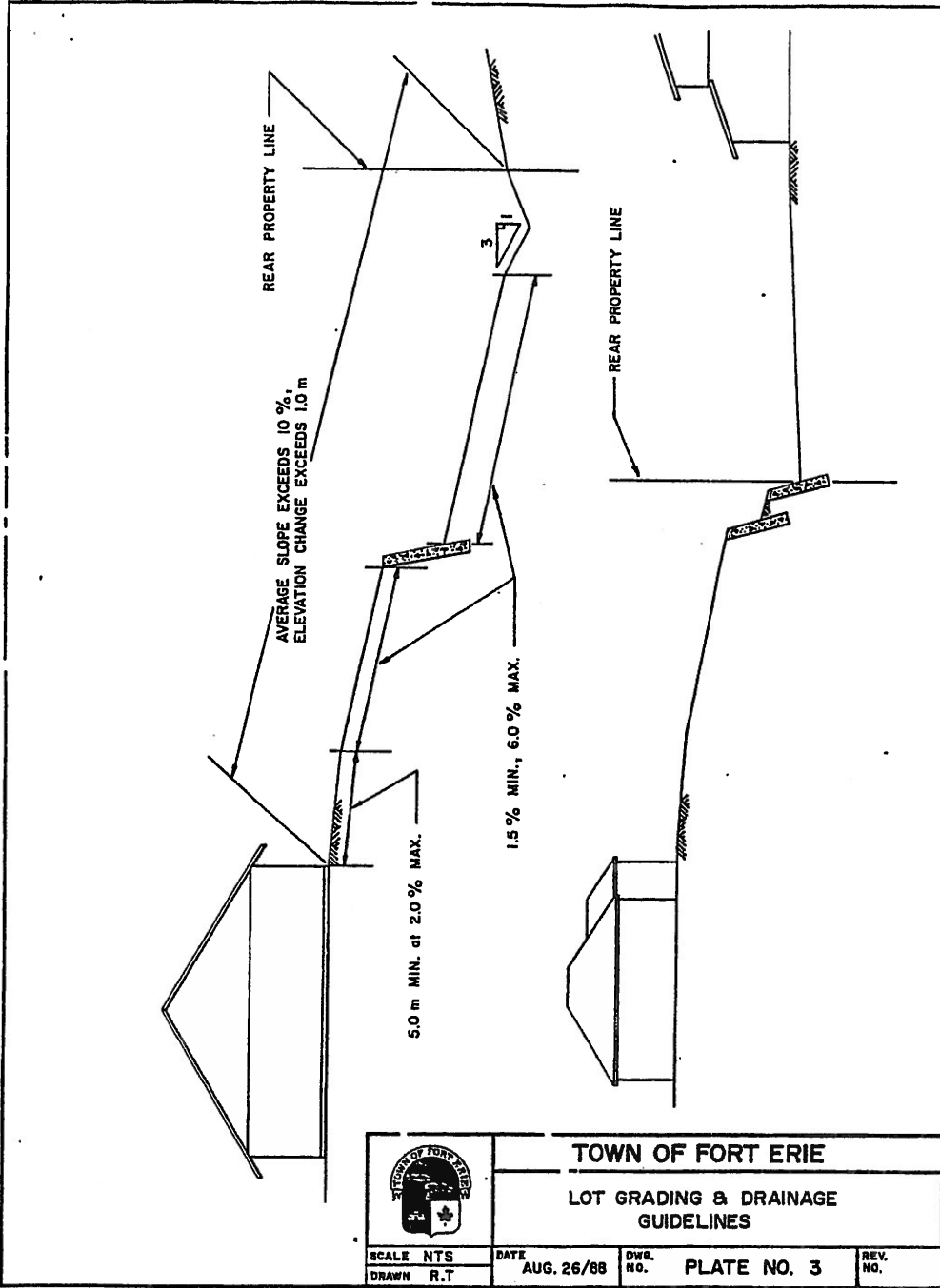
NAME _____
 SIGNATURE _____
 DATE _____
 FILED BY TOWN _____
 DATE _____

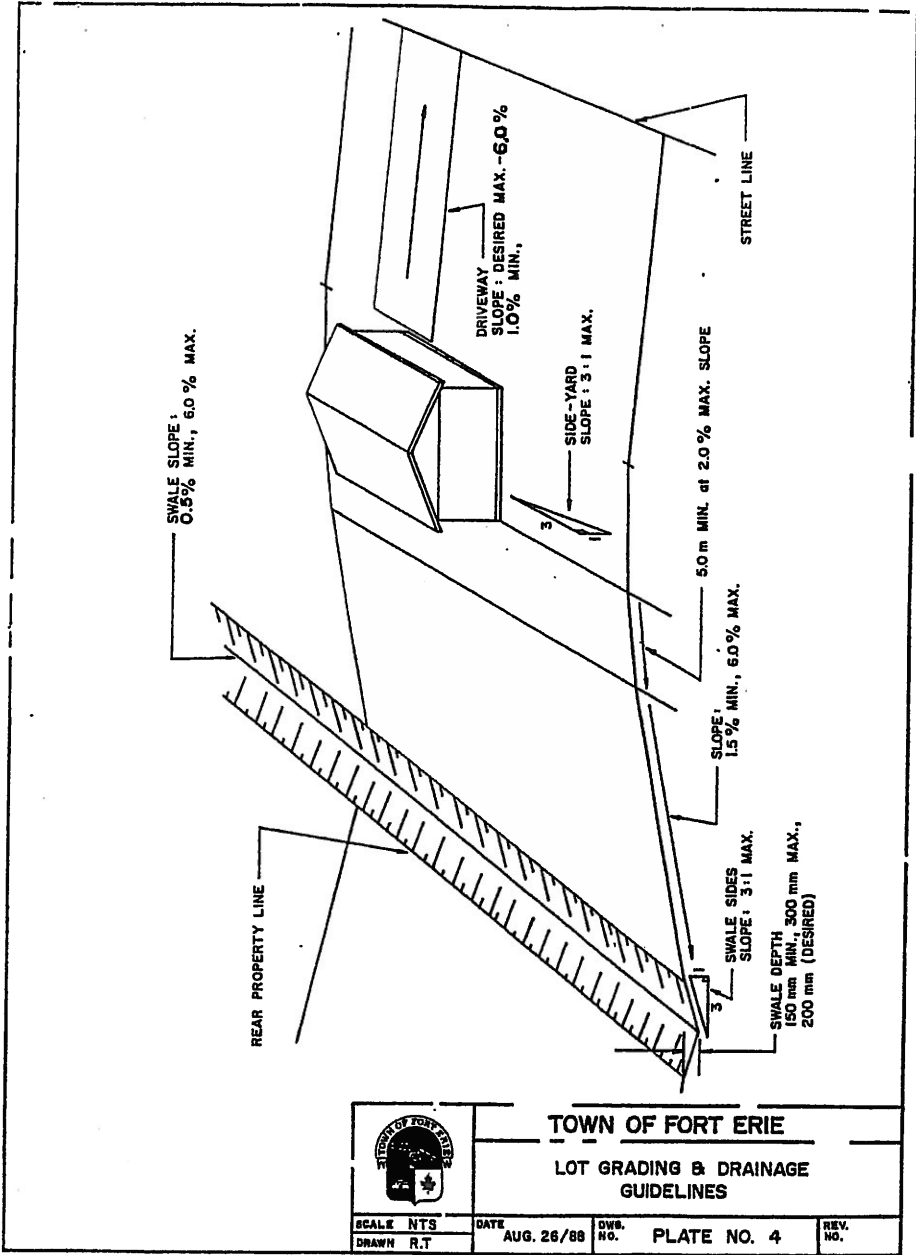
PLATE NO 2

SCALE 1:200 METRIC

FILE NO:

JOB NO:

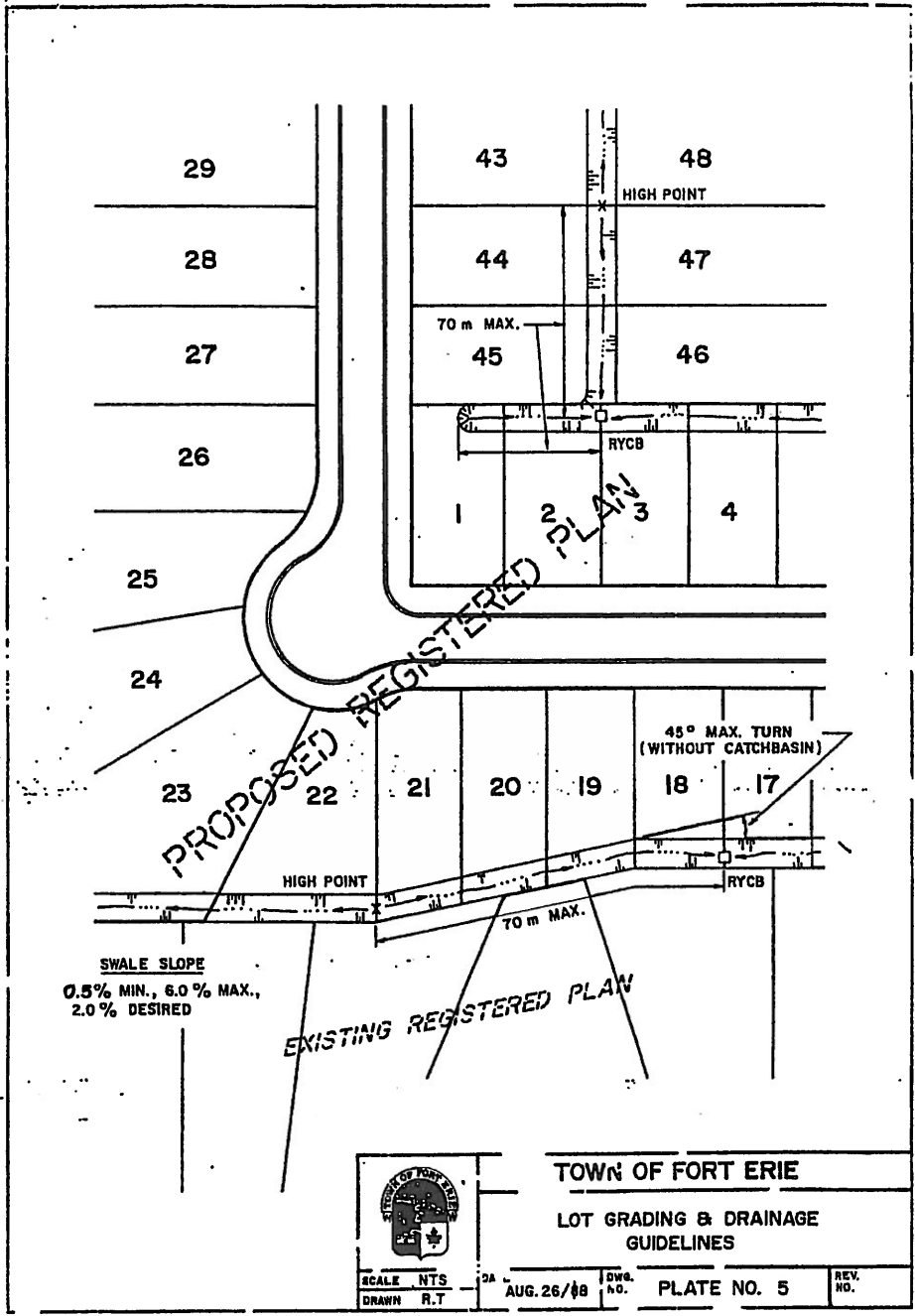




TOWN OF FORT ERIE

LOT GRADING & DRAINAGE GUIDELINES

SCALE NTS	DATE	DWG. No.	REV. No.
DRAWN R.T	AUG. 26/88	PLATE NO. 4	



PROPOSED REGISTERED PLAN

EXISTING REGISTERED PLAN

SWALE SLOPE
0.5% MIN., 6.0% MAX.,
2.0% DESIRED

45° MAX. TURN
(WITHOUT CATCHBASIN)

TOWN OF FORT ERIE

LOT GRADING & DRAINAGE
GUIDELINES



SCALE NTS
DRAWN R.T.

AUG. 26/88

Dwg. NO.

PLATE NO. 5

REV. NO.

**OFFICE CONSOLIDATION OF BY-LAW NO. 252-92, AS AMENDED –
To Adopt a Lot Grading and Drainage Policy for the Town of Fort Erie**

**SCHEDULE “1” TO SCHEDULE “A” OF BY-LAW NO. 252-92
As amended by By-law No. 49-05**

1. Subdivider’s Grading Deposit

- (a) \$200.00 per lot or \$1,000.00 per acre of blocks within the Plan of Subdivision.
- (b) Maximum deposit of \$20,000.00 for the entire Subdivision or Phase.

2. Lot Grading Deposit

- (a) \$2,500.00 per lot.
- (b) A \$2,500.00 lot grading deposit is required at the time of the building permit application.

3. Revisions to Lot Grading Plan Deposit

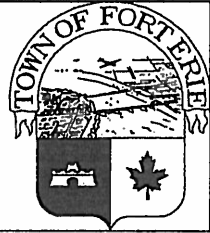
- (a) Submissions of the proposed Lot Grading Plan shall be accompanied with a lot grading deposit in the amount of \$300.00.

4. Security

- (a) Notwithstanding Sections 2 and 3 above, any Builder building homes in the Town of Fort Erie may submit an Irrevocable Standby Letter of Credit to the Corporation of the Town of Fort Erie in the amount of Ten Thousand Dollars (\$10,000) plus a cash deposit of Five Thousand Dollars (\$5,000) which:
 - (i) may be drawn down to cover the cost of lot grading, and
 - (ii) shall be the only deposit required of such home builder irrespective of the number of homes or residential lots being developed at any given time by that Builder, and
 - (iii) shall also suffice for any damage to sidewalks, curb cuts or spillage of debris on Town highways that may be required under the provisions of By-law No. 143-92, and
 - (iv) shall comply with provisions of Section 1.14.2 of Tendering Policy By-law No. 191-95 as amended from time to time.
- (b) When it is necessary for the Town of Fort Erie to draw upon the securities, the cash deposit shall be drawn upon first and the Builder shall replace the funds to ensure a cash security level of Five Thousand Dollars (\$5,000) at all times prior to the issuance of any permits.

**OFFICE CONSOLIDATION OF BY-LAW NO. 252-92, AS AMENDED –
To Adopt a Lot Grading and Drainage Policy for the Town of Fort Erie**

**SCHEDULE "2" TO SCHEDULE "A" OF BY-LAW NO. 252-92
As amended by By-law No. 49-05**



**THE CORPORATION OF THE TOWN OF FORT ERIE
LOT GRADING POLICY**

**STATUTORY DECLARATION
AND
UNDERTAKING
OF BUILDER/AGENT FOR BUILDER**

I, (print name) _____ of the (city) _____
of (Region) _____ in the Province of Ontario hereby
solemnly declare that as the Builder/Agent for the Builder, I hereby agree to assume responsibility
for the completion of the final lot grading for the below noted property in accordance with the
requirements of the Town of Fort Erie Lot Grading and Drainage Policy By-law No. 252-92 as
amended from time to time, a copy of which I have received from the said Town.

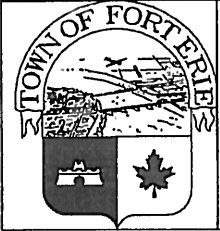
Address of subject property: _____

Legal Description: _____

I hereby further solemnly declare that I undertake to comply with Section 2.2 of the Town's Lot
Grading and Drainage Policy By-law No. 252-92, as amended wherein the grading of a lot shall be
considered to be completed when the building has been erected and the lands have been graded and
sodded, and/or seeded. I hereby further solemnly declare that I will complete the sodding and/or
seeding within two (2) months after occupancy of the building, or by the next June 1st following
occupancy should occupancy take place after November 1st in the year.

**OFFICE CONSOLIDATION OF BY-LAW NO. 252-92, AS AMENDED –
To Adopt a Lot Grading and Drainage Policy for the Town of Fort Erie**

**SCHEDULE “3” TO SCHEDULE “A” OF BY-LAW NO. 252-92
As amended by By-law No. 49-05**



**THE CORPORATION OF THE TOWN OF FORT ERIE
LOT GRADING POLICY**

**STATUTORY DECLARATION
AND
UNDERTAKING
OF PURCHASER**

I, (print name) _____ of the (city) _____
of (Region) _____ in the Province of Ontario hereby
solemnly declare that as the Purchaser from the Builder/Agent for the Builder as named below, I
hereby agree to assume responsibility for the completion of the final lot grading for the below noted
property in accordance with the requirements of the Town of Fort Erie Lot Grading and Drainage
Policy By-law No. 252-92 as amended from time to time, a copy of which I have received from the
said Town.

Name of Builder/Agent for Builder: _____

Address of subject property: _____

Legal Description: _____

I hereby further solemnly declare that I undertake to comply with Section 2.2 of the Town's Lot
Grading and Drainage Policy By-law No. 252-92, as amended wherein the grading of a lot shall be
considered to be completed when the building has been erected and the lands have been graded and
sodded, and/or seeded. I hereby further solemnly declare that I will complete the sodding and/or
seeding within two (2) months after occupancy of the building, or by the next June 1st following
occupancy should occupancy take place after November 1st in the year.

