



Lot Grading

PREPARED BY:	Planning and Development Services	COUNCIL APPROVAL DATE:	
EFFECTIVE DATE:			
REFERENCES:	Bylaw 2023 - 02 - Surface Drainage and Lot Grading	PREVIOUS REVISION DATE:	NEW
	Bylaw 2022-11 – Fees and Charges		
	MGA – Section 638.2		
FUNCTION:	Planning and Development	LS REVIEW DATE:	December 15, 2022

PURPOSE

The purpose of this policy is to ensure compliance with Parkland County standards and regulation requirements while administering and monitoring development conditions and activities related to lot grading in Parkland County.

POLICY STATEMENT

Parkland County will ensure compliance with the regulations, standards, policies, and bylaws that relate to lot grading development within the County, and that these governing documents and regulations are abided by, through conditions of the development process, in accordance with Section 638.2 of the Municipal Government Act.

DEFINITIONS

The following definitions and interpretations apply in this policy:

1. "CAO" means the Chief Administrative Officer of the County, or any member of County staff designated by the CAO to carry out functions under this policy.
2. "County" means the municipal corporation of the Parkland County and its duly authorized employees, agents, contractors and other representatives or the geographic area contained within the boundaries thereof, as the context requires.
3. "Engineering Design Standards" means the standards and requirements as specified in the current version of the County's Engineering Design Standards, as amended or repealed and replaced from time to time, which identify minimum requirements for the design, preparation, and best management practices for the design, preparation, and submission of plans and specifications for the construction of Roads, water distribution systems, wastewater systems, surface drainage, Storm Water management systems, open space, trails, and landscaping.
4. "Fees and Charges Bylaw" means Bylaw 2022-11, as amended or repealed and replaced from time to time.
5. "Final Grading" means the establishment of surface grades and surface elevations in preparation for, or including, finished landscaping, in accordance with the Engineering Design Standards and any applicable surface drainage plan.

6. "Grading Certificate" means a ground elevation survey of a lot verifying the lot grades are in accordance with the approved lot grading plan and or approved by the County, stamped and signed by an Alberta Land Surveyor or an engineering professional accredited by Association of Professional Engineers and Geoscientists of Alberta (APEGA) to practice Civil Engineering within their scope of practice. Requirements for Grading Certificates are set out within the Engineering Design Standards.
7. "Lot" means:
 - a. a quarter section;
 - b. a river lot shown on an official plan referred to in the *Surveys Act* that is filed or lodged in a Land Titles Office;
 - c. a settlement lot shown on an official plan referred to in the *Surveys Act* that is filed or lodged in a Land Titles Office;
 - d. a part of a parcel described in a certificate of title, if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or
 - e. a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision.
8. "Lot Grading" means any work, operation, or activity that results in a disturbance of the earth, which has the effect of changing the Surface Elevation or slope of the lot, other than for building purposes, but does not include aggregate extraction, commercial logging, tree clearing, or dugouts.
9. "Lot Grading Plan" means a plan, providing all information as set out within the Engineering Design Standards, that aligns with any applicable Surface Drainage Plan and any offsite Storm Water drainage systems accepted by the County.
10. "Owner" means any person who is the registered owner on the Certificate of Title at the Land Titles Office, or any other person who is in lawful possession thereof, or who is in lawful possession or occupancy of any buildings situated thereon, or any agent of, or person acting on behalf of the Owner, including but not limited to a contractor.
11. "Rough Grading" means the establishment of Surface Grades and Surface Elevations preceding Final Grading, in accordance with the Engineering Design Standards and an accepted Surface Drainage Plan.
12. "Storm Water" means surface run-off water that is the result of natural precipitation.
13. "Surface Drainage Plan" means a plan for a drainage corridor, subdivision, neighbourhood containing multiple lots, showing the finished design elevations of all property boundaries and public corridors that has been accepted by the County, to allow surface drainage to function in an overall scheme for the plan area and in conjunction with the adjacent lands and its associated sub basin(s).
14. "Surface Elevation" means an elevation of the ground surface measured from geodetic datum at a specific, discrete location.
15. "Surface Grade" means the magnitude and direction of inclination of an area of the ground surface.

SCOPE

This policy applies to all lands that are to be subdivided or developed within Parkland County.

RESPONSIBILITIES

The Director of Planning and Development Services is responsible for overseeing this policy and for administering the policy through the development conditioning process.

STANDARDS

Lot Grading Plans

1. No person or Owner shall cause or allow the Surface Elevation or Surface Grade on a Lot or County Property to be altered, or otherwise complete any grading on a Lot or County Property, unless a Lot Grading Plan has been approved by the CAO.
2. The process for approving a Lot Grading Plan shall be established by the CAO and the fees related to such approval shall be set out within the Fees and Charges Bylaw.
3. The CAO may exempt an Owner or person from the requirement set out within subsection (1) if the CAO is satisfied that the work contemplated will not negatively impact drainage on the Lot or adjacent lands.

Lot Grading Approval

1. Following completion of both Rough Grading and Final Grading, either the person responsible for the Lot Grading or the Owner of the Lot that was graded, must apply to the County for approval of the Rough Grading and Final Grading.
2. An application for approval as contemplated in subsection (1) must include:
 - a. Either a Grading Certificate for the Lot that was graded or a request for an inspection by the County;
 - b. the results of a grading inspection if the CAO determines such inspection is required in relation to the Lot Grading;
 - c. all fees set out within the Fees and Charges Bylaw; and
 - d. any further information requested by the CAO in relation to the Lot Grading, including but not limited to grade stakes established or approved by an Alberta Land Surveyor or qualified Professional Engineer, to confirm elevations of the Rough Grading or Final Grading concerning a Lot Grading Plan or Grading Certificate.
3. If an application for approval contemplated within subsection (1) is refused, the person responsible for the Lot Grading or the Owner of the Lot that was graded shall:
 - a. correct all deficiencies set out within the rejection notice within thirty (30) days of the date on the notice; and
 - b. request an additional inspection of the Lot within sixty (60) days of the previous inspection; and
 - c. pay any applicable re-inspection fees set out within the Fees and Charges Bylaw.
4. The CAO may grant extensions to the timelines set out within subsection (4) if they determine that such extensions are reasonably required.

ENFORCEMENT

1. For contraventions to this Policy refer to the Bylaw 2023-02 - Surface Drainage & Lot Grading.