

**The Corporation of the Town of Minto
By-law No. 2022-112**

To amend By-law 2019-18, a By-law respecting Construction,
Demolition and Change of Use Permits and Inspections

WHEREAS the Town of Minto has adopted by-law 2019-18.

AND WHEREAS the Council of the Corporation of the Town of Minto deems it desirable to amend by-law 2019-18 as follows:

THAT Section 1, **CITATION AND DEFINITIONS** be amended to add the following definition:

“Approved Grading, Drainage and Servicing Plan” means a plan including all of the provisions required by this By-law approved by the Town of Minto prior to the submission for a Building Permit;

THAT Section 3.4 **Plans and Specifications** Item 3.4.5, be amended to read as follows:

Approved Grading, Drainage and Servicing Plans, required within the Urban centers, are to be prepared by a Professional Engineer registered in the Province of Ontario or an Ontario Land Surveyor in accordance with applicable laws and good engineering practices, and contain the following:

- (a) Proposed structure elevations (underside of footing, top of foundation, top of garage floor slab, required risers, retaining walls, etc);
- (b) Existing and proposed elevations on the subject property and the adjacent properties;
- (c) Location, direction and slope percentage of flow paths, swales, ditches, drains, etc;
- (d) The elevation benchmark, including location and its design elevation;
- (e) Foundation off-set pins, including the distances from the pins to the front corners of the structure and the elevation of the pin to the top of foundation;
- (f) Location of Municipal service extensions, including invert elevations;
- (g) Sump Pit and Rain Leader discharge locations and directions; and,
- (h) Location of all hard surface elements and surface treatment types (i.e. driveways, sidewalks, etc).

THAT Section 5, **LOT GRADING/DAMAGE DEPOSIT** be amended to read as follows:

A lot grading/municipal infrastructure damage deposit in the amount of \$2,000.00 shall be required where the estimated building cost exceeds \$75,000.00 on a lot where no lot grading/damage deposits are prescribed under a separate agreement or by-law are collected. The deposit shall be 100% refundable upon the submission of a Grading, Drainage and Servicing Plan Certificate, completed by a Professional Engineer registered in the Province of Ontario or an Ontario Land Surveyor, stating that the grading has been completed in general conformance with the design grading plan, accompanied by a Final Grading Plan indicating the final site elevations and as-built Building setbacks and upon confirmation from the Public Works Department that no damage to municipal infrastructure has occurred which has not

been repaired at the sole cost of the owner or contractor, to the satisfaction of the Town of Minto.

In the event that unapproved deviancies to the Grading, Drainage and Servicing Plan or damage to municipal infrastructure has occurred and not rectified, the costs to rectify the deficiency(ies) will be applied against the Lot Grading/Damage Deposit, with the balance being refunded. If the costs to repair the deficiency(ies) exceed the retained deposit and not paid at the time the remedial work has been completed, the Town of Minto shall have a priority lien status on the subject property as described in Section 1 of the Municipal Act, 2001, to collect the additional expenses.

With respect to building construction projects where no deposit is required to be submitted and lot grading deficiencies or municipal infrastructure damage occur and not repaired/remediated to the satisfaction of the Town of Minto, the costs for the remedial work shall have a priority lien status on the subject property as described in Section 1 of the Municipal Act, 2001.

This by-law shall come into force and effect on the date of its final passing.

Read a first, second, third time and passed in open Council this 20th day of December 2022.



Dave Turton, Mayor



Annilene McRobb, Clerk