

# Grading Plan Requirements for Pool Permits

## Information Session

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Transportation and Engineering Department

# Introduction

## Contact Information

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# Background

- Purpose of Information Session
  - To provide information related to Grading Plan requirements as stipulated in the Site Alteration By-law
  - To encourage dialogue and receive feedback
  - To advise on next steps for a working group
- Clarification regarding the Site Alteration By-law (2003-021 and 2023-047)
  - The most recent update was in May 2023
  - The last update prior to 2023 was in 2003
  - The grading plan requirements related to the site alteration permits were in the 2003 by-law
  - No changes to these requirements were made in the 2023 update

# Background (continued)

- Pool installation is a type of site alteration activity
  - Regulated by the Site Alteration By-law
  - Site alteration permit is required
- Site Alteration By-law (2003-021 and 2023-047)
  - Grading plans are required for site alteration permits and must consist of existing and proposed elevations
  - Grading Plans are required to be certified by Registered P.Eng. or Registered OLS (i.e. stamp is required)
  - Lot grading certification to be prepared by Registered P.Eng. or Registered OLS

# Background (continued)

- In practice (years ago)
  - Grading plan for pool permits were accepted
    - With or without existing and proposed elevations
    - With or without professional stamps
  - Lot grading certifications prepared by P.Eng., OLS, or OALA
- In practice (recent years)
  - Grading plan for pool permits are required to show
    - Existing and proposed elevations
    - With or without professional stamps
  - Lot grading certifications prepared by P.Eng., OLS, or OALA

# Reasons for Proposed Changes

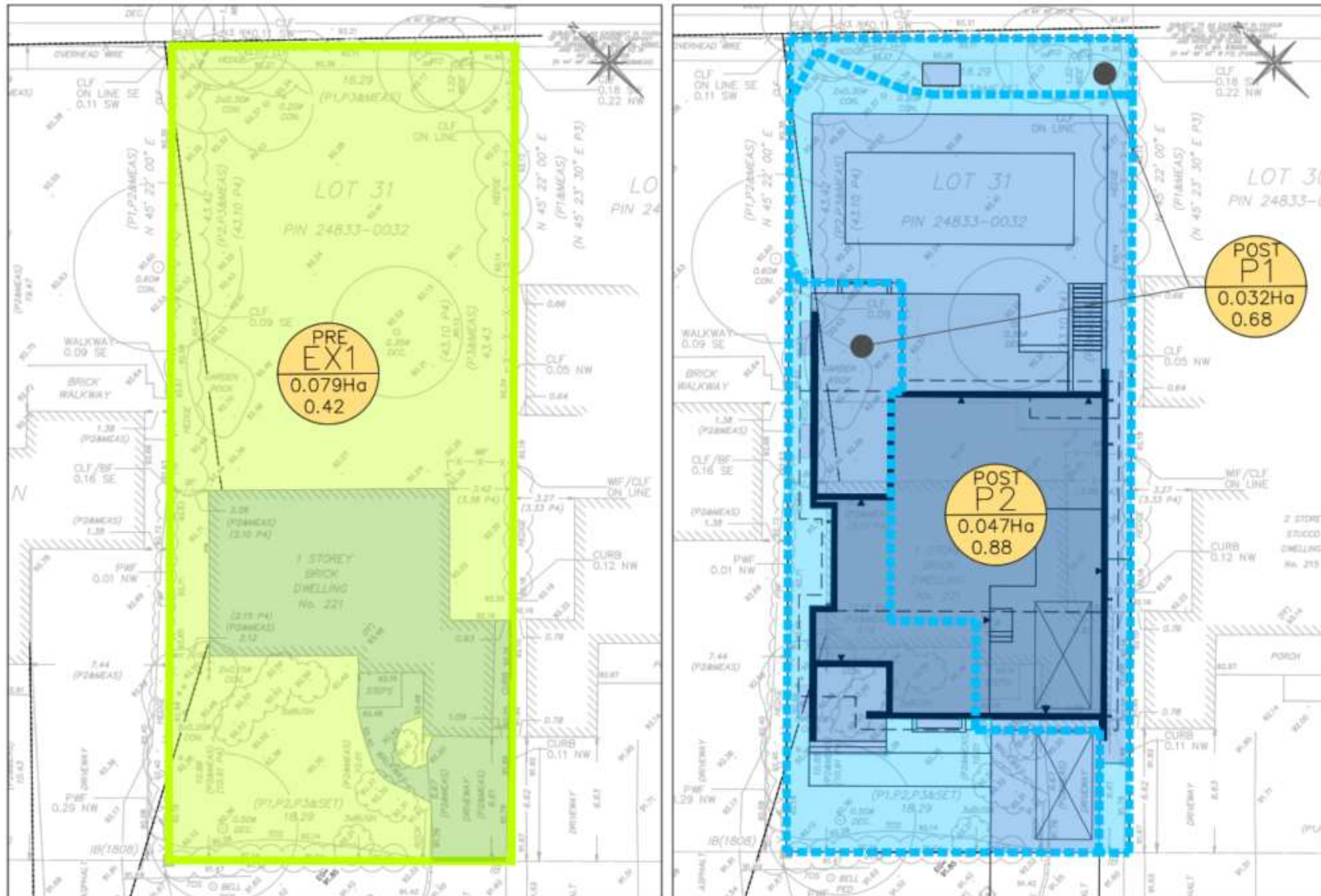
Why was the previous practice acceptable before?

- Years ago, more soft-scaping for infiltration in established neighbourhoods and impact to grading and drainage was not very significant
  - Houses were smaller, property setbacks were wider, less property improvements that are closely together
- In recent years, property improvement projects have a greater impact to grading and drainage
  - Larger paved decks/patios, more pools, work extending closer to property lines, significant increase in imperviousness, improvements are much closer together within neighbourhoods

# Example – Pre vs Post Development

Pre – 24% imperviousness

Post – 75% imperviousness



# Reasons for Proposed Changes (continued)

Why are existing and proposed elevations required?

- Existing topographic information
  - Illustrates the existing conditions and drainage patterns before any site alteration work is done
  - Provides a baseline for the impact to the proposed changes
- Proposed elevations show
  - how the grading and drainage is being altered
  - how the increased run-off is being mitigated
  - how existing drainage pattern is being respected
  - how the site alteration does not adversely impact neighbouring properties, including the municipal right-of-way

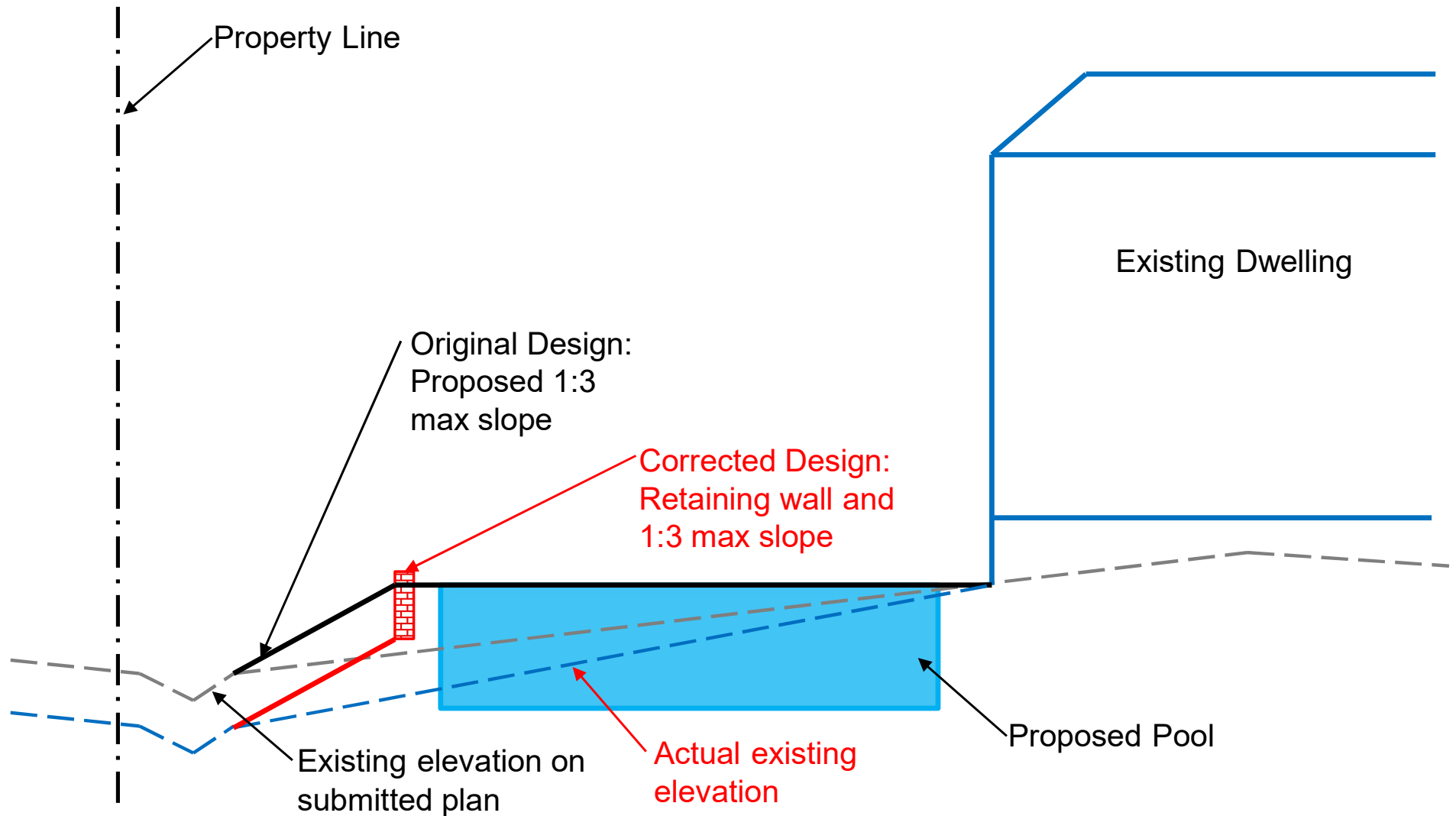


# Reasons for Proposed Changes (continued)

Why Registered OLS and Registered P.Eng.?

- A registered OLS is licensed to conduct topographical surveys and is accountable for the accuracy of the information provided
  - A grading design provided by an OLS based on the topographic information that they conducted and certified is acceptable
- A registered P.Eng. that is qualified to carry out grading and drainage design is accountable for the proposed design and the accuracy of the topographic information used for the design by obtaining the information from a registered OLS
- This is consistent with the current Site Alteration By-law since 2003

# Importance of Accurate Topographic Information



# Roles & Responsibilities and Accountability

Topo & Design	Review and Approval	Construction	Lot Grading Certification	Inspection
OLS or P.Eng. provides accurate information and coherent design	Town reviews for compliance to town standards and issues permit	Contractor builds per approved plan	OLS or P.Eng. provides certification based on site visit	Town inspects the final product matches the approved plan
<p>↑ Responsible to correct</p> <p>↑ Responsible to correct</p>	Issues during review	Issues with accuracy of plan information	Finds work not built per plan	<p>Work not built per plan</p> <p>Town rejects LGC</p> <p>New LGC required for next inspection</p>
<p>↑ Responsible for plan revision</p>		<p>↑ Responsible to correct</p> <p>↑ Responsible to correct</p>	<p>↑ Accountable to certify the work is built per plan. Responsible to client.</p>	
		<p>↑ Responsible to correct</p>		Deficiencies identified
Well prepared plan	Shorter review time	Construct per approved plan	Certify per approved plan	Quicker sign-off for inspection

# Impact to Cost

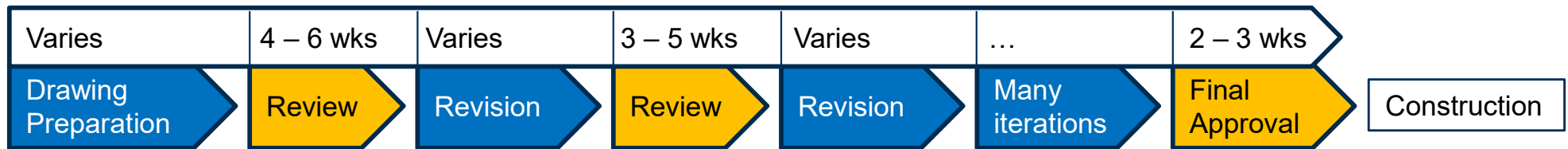
- There will be an increased cost to those who followed the previously accepted practice (grading plan not certified), for the need to retain a qualified P.Eng. or OLS to prepare the grading plan
- However, in an effort to reduce or eliminate potentially bigger financial impacts to property owners and taxpayers due to property damage from drainage / flooding issues, the town must continue to review and make improvements to our standards and processes
- Our records show that all grading plans submitted for pool permits in the recent years all have existing and proposed elevations, but most of them are not certified, and the quality of the plan varies significantly

# Impact to Review Timeline

Approximately 7 weeks of time saving is anticipated

Currently (many iterations for some applications)

- Time with town is minimum 12 to 20 weeks (excludes time controlled by applicant and depends on quality of submission)



After proposed changes (reduce # of iterations)

- Time with town is targeted 2 to 3 reviews, 5 to 13 weeks (excludes time controlled by applicant and depends on quality of submission)



# Impact to Review Timeline (continued)

Town rolled out a Grading and Servicing Plan Guide for Residential Infill Developments in September 2023. The intent is to:

- Provide guidance and clarity to the applicants on the permitting process and requirements
- Standardize the requirements for permitting drawings and documents
- Improve the quality of submissions
- Reduce the number of iterations and review time
- The change in practice for grading plans being discussed today is included in the guide

# Conclusion

## Anticipated benefits of the proposed changes

- Streamline the review and approval process by improving the quality of submissions
  - The better quality of the submissions, the quicker the permits are issued
  - Less issues during construction
  - Quicker sign-off during inspection
- Better protection for properties (subject property and adjacent lands) from grading and drainage impacts
- Standardize town requirements and enforce town by-law consistently
- Hold the appropriate professionals accountable

# Conclusion (continued)

The town will work on a plan to form a working group consist of members of the pool construction industry and town staff

- To review options on how we can achieve the above objectives, besides the currently proposed practice change to enforce the by-law
- The target date to complete this review is by end of the 2024 construction season so the new requirements can be implemented for the 2025 construction season



# Questions and Discussions

# Questions

Q: Why was there no information session in advance, town hall or call for case studies with an opportunity for constructive dialogue provided in advance of these by-law changes?

A: This is not a by-law change as these requirements have been in the by-law since 2003. (Slide 3)

As this is an enforcement for compliance to an existing by-law, where the by-law is approved by town council, it is not something that the town would consult with the public on.

However, the town has heard your concerns, and we are hosting this Information Session today, and will be forming a working group to review this further.

# Questions

Q: Can you please clarify and specifically quantify with metrics, what are the driving forces for these changes? If there have been complaints of surface runoff, how many complaints have been registered and over what time frame?

A: The Town does receive regular complaints related to grading and drainage issues due to property improvement projects. We will review the metrics and share findings through the working group.

# Questions

Q: Can you speak to the number of complaints registered due to pool related issues vs. the Oakville homeowners doing landscape work (with or without a contractor) on their properties without permits?

A: The Site Alteration By-law identifies the types of work that require a permit, and enforces that the site alteration work does not adversely impact the neighbouring properties, whether a permit is required or not in accordance to the by-law.

Similar to the last question, we will review the metrics and share the findings through the working group.

# Questions

Q: At previous opportunities of communication with some of our members, there was little clarity that was provided when asked to define more clearly what the Town of Oakville is trying to accomplish with these by-law changes. Can you specifically speak to the ideas of improved Standardization and Compliance that this will make for the permitting department?

A: At today's presentation, the benefits and objectives were identified. Please refer to Slide 15.

# Questions

Q: What types of time frame improvements do you expect because of these by-law changes?

A: At today's presentation, the anticipated time saving was identified. Please refer to Slide 13.

# Questions

Q: Can you please quantify how the cumulative effects of minor grading changes and increase in improvement projects has significantly increased imperviousness? How was this significant increase determined / calculated? What metrics are used to determine this?

A: At today's presentation, the increase in imperviousness was briefly discussed. Please refer to Slide 7.

The calculation is the percentage based on the area of imperviousness over the area of the property. We have also reviewed a number of neighbourhoods and compared the change in % imperviousness over the past 20 year or so. The changes are apparent and therefore presents a impact to drainage.

# Questions

Q: Were these by-laws adopted from any other local municipalities? If so, which communities specifically and what have been the long-term results of these by-law changes?

A: We are aware that not all municipalities regulate their pool permits with a by-law, and their requirements vary. We will look into conducting a more fulsome review of their regulations and share the findings.



# Questions

Q: Does the Town of Oakville care about the economic impact to our industry that these by-laws will cause?

A: We do recognize that changes may have a cost impact, not only to the construction industry, but also to the residents of the town. As explained in our presentation today, the Town also have the responsibility to make process improvements to protect property owners and taxpayers from damage due to poor drainage and flooding issues.  
(Slide 12)

In the working group, we will review and find the most suitable option to achieve the objectives and benefits that we are seeking.

# Questions

Q: What does the Town of Oakville believe the starting cost of a pool permit will be under these new by-laws?

A: Members of the industry have shared the general cost range with us. As noted on Slide 12, we do recognize that there will be an increase in cost to those who followed the previously accepted practice (grading plan not certified), for the need to retain a qualified P.Eng. or OLS to prepare the grading plan.

# Questions

Q: Would the Town of Oakville allow for a deferment of this new by-law amendment and allow for industry experts, independent engineers, and representatives from the permitting department to coordinate in a board and/or sub-committee?

A: As noted, this is not a by-law amendment. The Town will plan to form a working group as noted on Slide 16.

# Questions

Q: If said board/sub-committee could provide specific data and case studies to speak to the by-law changes not being able to solve these issues, would the Town of Oakville be open to amend, remove or implement more amiable by-laws in a joint effort?

A: Specific data and case studies by the industry experts to support alternative option(s) to achieve the objectives and benefits will be helpful. These information and studies can be reviewed by the working group.

# Questions

Q: Would the Town of Oakville allow for current pool owners and potential new pool owners to be surveyed, to gain more insight into what the constituents of Oakville feel in terms of the exorbitant cost of permitting and if they feel it is justified?

A: The Town is open to conducting surveys to obtain suggestions and feedback. The details can be reviewed by the working group.