



TOWN OF RAYMOND

Adopted By: Council

Motion: 2021-008

Authority to Administer: Director of Economic Development

Policy Number: GP-2020-02

Policy Name

Grade Compliance Incentive Program

Policy Purpose

This policy will outline the criteria a *residential builder* is required to meet to qualify for the reduced fee for grade compliance when applying for a Town of Raymond Development Permit for a *new principal building or new home*.

Policy Statement

As part of the development process, as of January 2020, a grade compliance fee is charged to the *Applicant of the Development Permit* to ensure final grading is compliant according to the submitted engineered drainage plan required for each *new principal building / new home*. Once a *new principal building or new home* reaches completion and applies for an occupancy permit, the lot is professionally surveyed to ensure grade compliance is completed as prescribed in the approved engineered drainage plan submitted at the time of development permit application. The cost of the grade compliance is determined annually, as outlined in the current, most up to date, Fees and Charges Bylaw. Eligible *residential builders* will be granted a reduced fee to conduct the final grade compliance survey of final grades as completed by the Town of Raymond's contracted service provider.

Definitions

Adopted from *Alberta New Home Buyer Protection Act, Statutes of Alberta, 2012, as amended*:

"residential builder" means a person who engages in, arranges for or manages all or substantially all of the construction or reconstruction of a new home, or agrees to do any of those things, and includes a general contractor, but does not include an owner builder;

"new principal building" or "new home" means a building, or portion of a building, that is newly constructed or that is being constructed and is intended for residential occupancy and in respect of which the protection period has not expired, and includes:

- i) A self-contained dwelling unit that
 - (1) is detached
 - (2) is attached to one or more other self-contained dwelling units, or
 - (3) includes a secondary suite,
- ii) common property, common facilities, and other assets of a condominium corporation,
- iii) any building or portion of a building that is of a class prescribed as a class of new home to which this Act applies,
- iv) a building that is intended for residential occupancy and that is a reconstruction, and
- v) a manufactured home,

but does not include a hotel, motel, dormitory, care facility, relocatable work camp or any building exempted by the regulations from the definition of new home;

“owner” means a person who purchases a new home or contracts with a residential builder to build a new home and includes

- i) a person who acquires a life interest in a new home,
- ii) a condominium corporation under the *condominium Property Act* in respect of the common property, common facilities and other assets,
- iii) a cooperative incorporated under the *Cooperatives Act*, a corporation or a society having an ownership interest in a new home, and
- iv) a subsequent purchaser of a new home, including a person who acquires a new home from a previous owner through inheritance, gift, foreclosure or other legal means or operation of law;

“owner builder” means an individual who builds or intends to build a new home for personal use or a person prescribed as an owner builder to which this Act applies;

Objectives

This policy has 4 specific objectives:

- 1) Incentivize grade compliance with the approved submitted engineered drainage plans, thus eliminating potential drainage issues / grading issues in the future for both the Town of Raymond and for *owners*, which are passed on to the *owner* upon possession.
- 2) Incentivize *residential builders* to maintain good standing and reputation within the construction industry.
- 3) Provide education and awareness to *residential builders* that grading is an important aspect to a new home build.
- 4) Provide a competitive edge for *residential builders* that do return business in the community.

SPECIAL NOTE: Rough Grading ***may*** or ***may not*** be included in the *owner's* Alberta New Home Warranty Coverage depending on the insurance policy backing the *residential builder*.

Policy Procedure

Residential builders will notify the Development Officer (DO) of the Town of Raymond of their interest in the Grade Compliance Incentive Policy. The DO will review past development permits registered under the builder's name to determine if the builder qualifies. Eligibility is based on the following criteria:

1. **Must not** be a “*owner builder*” as defined by the New Home Buyer Protection Act
2. Must hold a Builder ID with the New Home Buyer Protection Office and found online at <https://residentialprotection.alberta.ca/public-registry/Builder>
3. Must have a License Status “In Good Standing” according to the New Home Buyer Protection Office on or before the date the development permit is issued.
4. **Must not** be a “Provisional” or in “Probation” period according to the New Home Buyer Protection Office on or before the date the development permit is issued.
5. **Must not** have **any** “enforcement actions” according to the New Home Buyer Protection

Office on or before the date the development permit is issued.

6. Must have completed **three (3) new home builds** within the Town of Raymond limits that were successful in obtaining a grading "Notice of Compliance" signifying that grades were compliant with the provided engineered drainage plan submitted at time of development permit application.
7. **Must not** have any outstanding / unresolved grading "Notice of Non-compliance" registered on file at the Town of Raymond for any *new home* development permits issued with the Town of Raymond limits. If a *residential builder* has an outstanding grading "Notice of Non-compliance" unresolved, the builder will have to complete an **additional three (3) new home builds** as outlined in Item #6 before being reinstated as an eligible builder.

Notice of Non-Compliance
Grade Certificate

Date: _____

To:

RE: Lot Grading - **Notice of Non-Compliance**

The Town of Raymond serves notice to the _____ of Lot ____ Block _____ Plan _____, that the lot grading requirements of the Town of Raymond have not been met for the above-mentioned property as of the ____ day of _____ 20__.

Condition(s) of Development Permit number _____, dated the ____ day of _____, 20__ states that the development must conform to the attached, approved, engineered drainage plan, which includes downspout planning. The attached drainage plan submitted as part of the application, must be implemented in conjunction with neighboring lots, with the applicant, developer, or holder of this permit being responsible for all associated costs.

This letter is notice that a response is required on or before the ____ day of _____, 20__ that grading has complied with.

**Notice of Compliance
Grade Certificate**

Date: _____

To:

RE: Lot Grading - **Notice of Compliance**

Development Permit # _____

Project Address:

Legal Description Lot: _____ Block: _____ Plan: _____

Builder/Applicant:

Subdivision: _____ Phase: _____

The Town of Raymond Development Department has received and reviewed the 'lot grading requirements' submitted for the above property and is satisfied with the contents of the results.