



Rowhouse Development Permit Exemption – Overland Drainage Information

Starting September 15, 2025, development permits for rowhouses in developing communities will no longer be required if conditions outlined in [sections 24 and 25 \(2\) C.1](#) of the Land Use Bylaw are met.

Exemption Requirements

To qualify for development permit exemption, drainage must be addressed in the building permit application, the specific exemption rules for drainage include:

- where all overland drainage does not have direct access to a lane or street without passing through an adjacent parcel, the parcel is subject to a private overland drainage easement; and
- where overland drainage from a parcel passes through two or more adjacent parcels prior to reaching a lane or street:
 - there is a concrete swale across the parcels within the private overland drainage easement; and
 - there is a swale tie-in and a drainage crossing within the street right-of-way where the concrete swale abuts the street.

What this means for applicants:

- If all overland drainage has direct access to the street or lane - a site plan with grades and drainage arrows must be submitted.
- If overland drainage from one lot passes through a single neighbouring lot prior to reaching the street or lane - a site plan with grades, drainage arrows, grass swale and private overland drainage easement must be submitted. Also, proof of registration of the private overland drainage easement must be submitted.
- If overland drainage from one lot passes through two or more neighbouring lots prior to reaching the street or lane - a site plan with grades, drainage arrows, a concrete swale and private overland drainage easement must be submitted. Proof of registration of the private overland drainage easement must be submitted. Also, a copy or screenshot of the relevant page of the Construction Drawings associated with the Development Agreement showing the concrete swale tie-in and drainage crossing located outside of the parcel must be submitted.
 - The construction drawings and the Development Agreement are the responsibility of the land developer. To qualify for exemption when a concrete swale is required, advance planning from the land developer will be required. If the swale tie-in and crossing have not been provided in advance of the application, a development permit will be required.

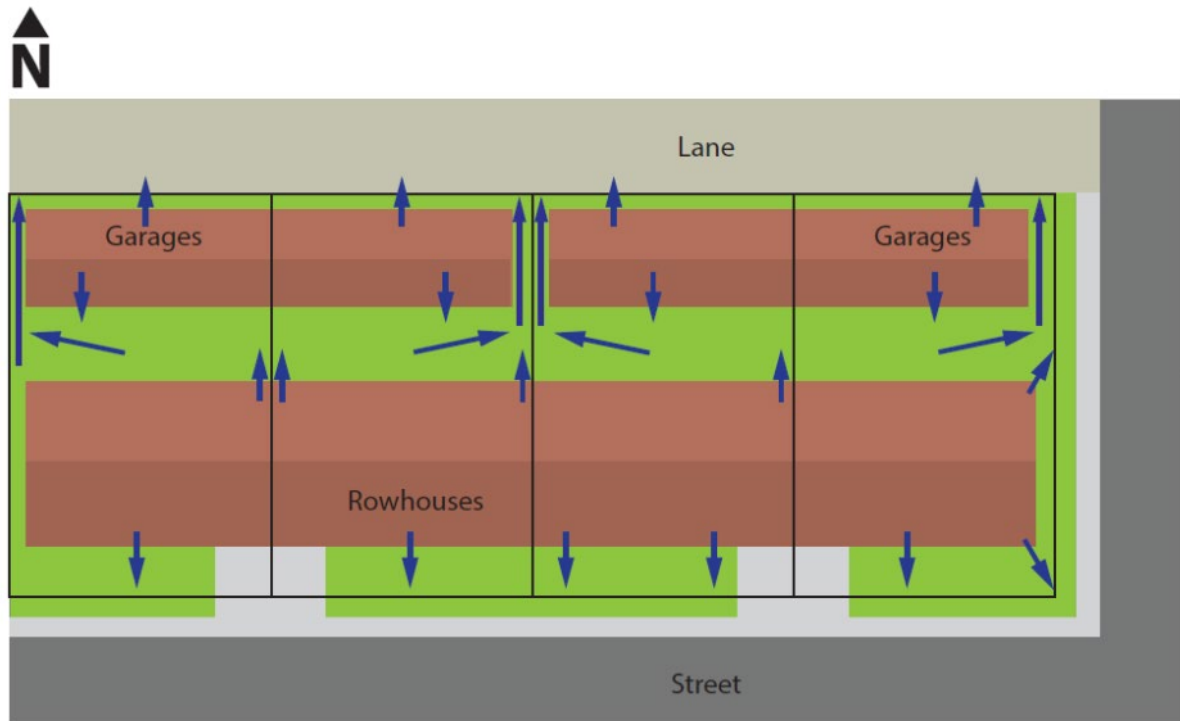
Drainage Examples

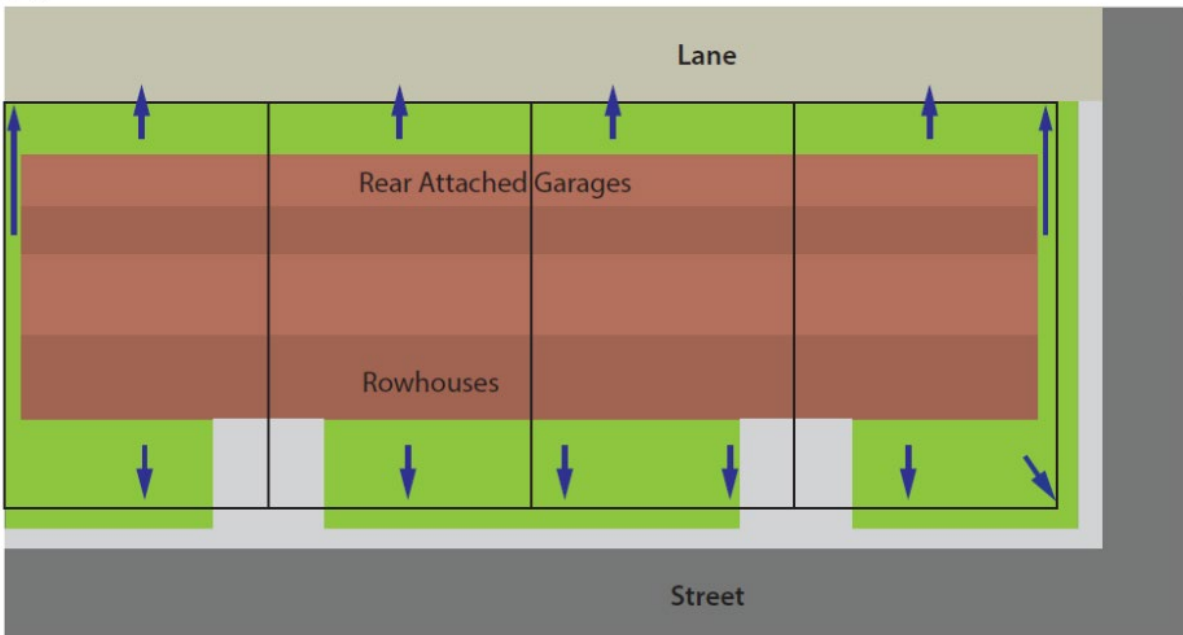
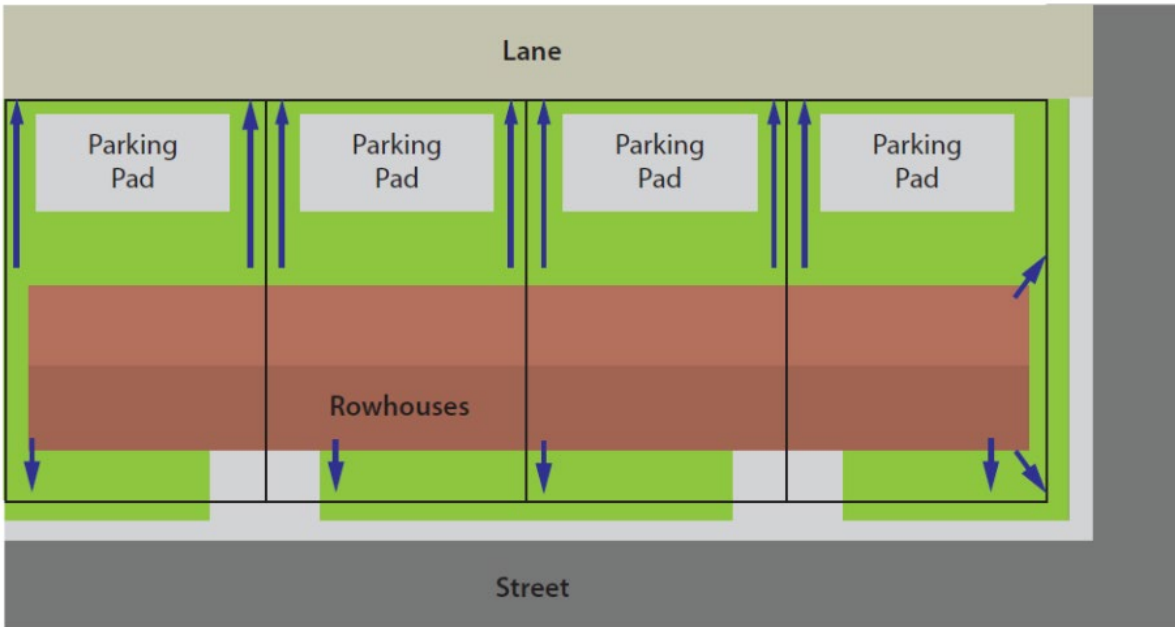
Example 1: All overland drainage has direct access to the street or lane

In the following three examples, all drainage has direct access to the lane or street without passing through an adjacent parcel.

Submission Requirements when aligned with these examples:

- ☐ Site plan with grades and drainage arrows.



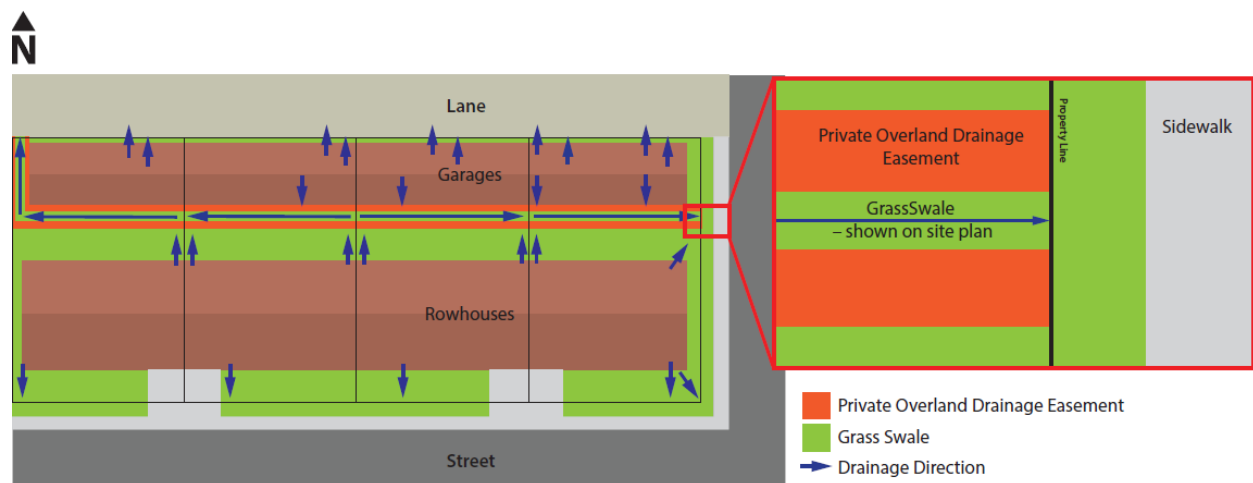


Example 2: Overland drainage from one lot passes through a single neighbouring lot prior to reaching the street or lane

In the following example, drainage from the middle two lots each pass through the adjacent lot prior to reaching the street or lane. In this case, a private overland drainage easement is required to be shown on the site plan and proof of the registration of the easement must be submitted. A grass swale must be shown on the site plan.

Submission Requirements when aligned with this example:

- ☐ Site plan with grades and drainage arrows.
- ☐ Site plan showing grass swale
- ☐ Site plan showing private overland drainage easement
- ☐ Proof of registration of private overland drainage easement



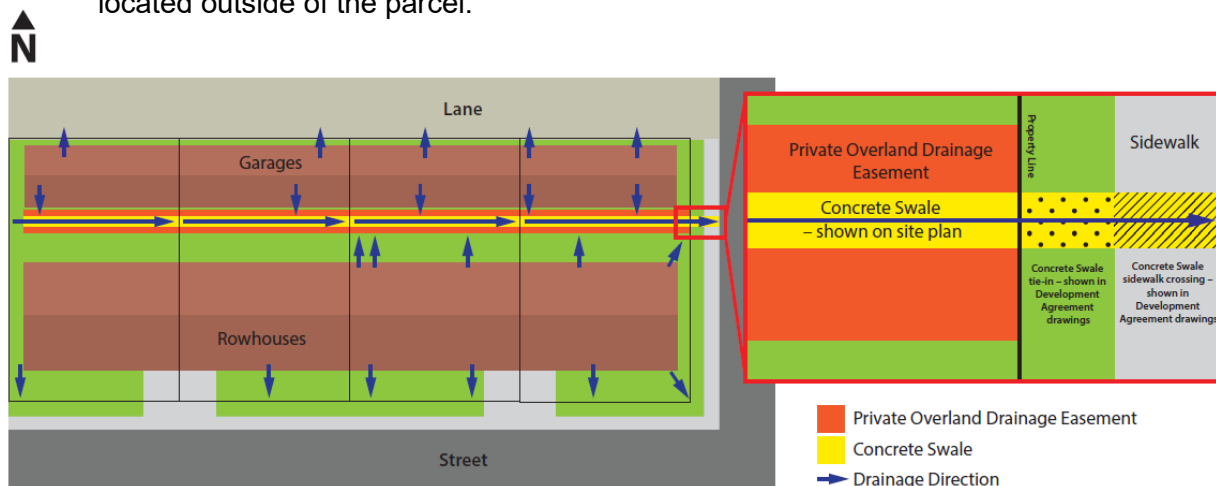
Example 3: Overland drainage from one lot passes through two or more neighbouring lots prior to reaching the street or lane

In the following example, drainage from the west lot drains to the east, passing through three other lots prior to reaching the street. In this case, a private overland drainage easement is required to be shown on the site plan and proof of the registration of the easement must be submitted. A concrete swale must be shown on the site plan due to the drainage passing through multiple lots prior to reaching the street. The applicant is responsible for installing concrete swales within the parcel boundaries. A concrete swale tie-in and drainage crossing must be in place where the concrete swale will connect from private lands to public. The developer of the lands must have already included this in construction drawings for the area. A copy or screenshot of the relevant page of the Construction Drawings associated with the Development Agreement showing the concrete swale tie-in and drainage crossing located outside of the parcel must be submitted.

Important: The construction drawings and the Development Agreement are the responsibility of the land developer. To qualify for exemption when a concrete swale is required, advance planning from the land developer will be required. If the swale tie-in and crossing have not been provided in advance of the application, a development permit will be required.

Submission Requirements when aligned with this example:

- ☐ Site plan with grades and drainage arrows.
- ☐ Site plan showing concrete swale
- ☐ Site plan showing private overland drainage easement
- ☐ Proof of private overland drainage easement registration
- ☐ Copy or screenshot of the relevant page of the Construction Drawings associated with the Development Agreement showing the concrete swale tie-in and drainage crossing located outside of the parcel.



Example 4: Laneless parcels where a swale is required at rear of property or located on neighbouring property in advance

In the following example, drainage from the west lot drains to the east, passing through three other lots prior to reaching the street. Front attached garages are being proposed with no rear lane provided. In this case, overland drainage easements and swales are often dealt with at the outline plan/subdivision stages. If these are already provided either on the subject parcels or neighbouring parcels, the private overland drainage easement is required to be shown on the site plan. If the swale is located on the subject parcel, a concrete swale must be shown on the site plan. A copy or screenshot of the relevant page of the Construction Drawings associated with the Development Agreement showing the concrete swale tie-in and drainage crossing located outside of the parcel must be submitted.

Submission Requirements when aligned with this example:

- ☐ Site plan with grades and drainage arrows.

If swale is located on subject parcel:

- ☐ Site plan showing overland drainage easement
- ☐ Site plan showing concrete swale
- ☐ Proof of private overland drainage easement registration
- ☐ Copy or screenshot of the relevant page of the Construction Drawings associated with the Development Agreement showing the concrete swale tie-in and drainage crossing located outside of the parcel.

