

## Public Works and Infrastructure

Wednesday October 7, 2015

PW8.8 - Portia Street Storm Sewer Connections

Toronto Water concludes that the established process for granting exemptions be maintained and that private property groundwater systems be installed solely at the owners expense. In my opinion, I find the arguments put forward by the staff report, though, do not support this position properly.

When I requested that the City of Toronto make an exception for the homes on Portia Street and consider the funding, I did not specifically identify the costs. I have since learned that there are two distinctly different types of costs. First, there will be the cost on the private side to connect the storm sewer to the residents' property line with a new lateral. This cost I have been told could be approximately \$7693, however, this amount is slated to increase in 2016 to around \$11,000 per home. These costs are on the public side (not private).

Additionally, I was told that there will be private side expenses that include bringing the foundation pipes to the new lateral (around \$10,000 but each home is different). In addition, each home owner will be required to apply for an exemption to the city (fee is \$1,610) plus the cost of an engineering drawing and flow calculations (at this time I don't have the costs for these).

The staff report indicates that the "request that the City bear the cost of such private works is inconsistent with the requirements of 681-11.R(6) sewer Bylaw which requires that a ground water drainage system shall be installed and maintained by the owner of the premises, at his or her sole expense". At the very least, this Bylaw is only applicable to Private Side sewer work and makes no mention of public side costs like the construction of the laterals.

The underlying problem with the homes on Portia Street is the high water table that exists and the City of Toronto's failure to consider this in their building application process. The Committee of Adjustments concerns itself only with variances, and even the OMB does not have a process in new home construction for considering the level of the water table and its underlying impact on the homes to be built.

The residents of Portia Street have to my knowledge, purchased homes in accordance with city bylaws and Ontario Building Code. The subdivision plan was reviewed by the city and approved. Site grading, drainage systems and sump pump construction complied with building code. Having said this, the residents of Portia Street have done everything they were asked to do by the city, and yet found themselves in a situation where these requirements did not work to adequately protect their homes from foundation leaks and constant recycling of their sump pumps. They have likely spent thousands of dollars implementing the required sump pump systems, only to discover that the volume of water that discharges from these pipes cannot be reabsorbed into any permeable gardens. Left with no alternative other than to drain as far away from their homes as possible, they now find themselves in an impossible situation.

Toronto Water has argued that they review applications for exemptions on an individual basis. While this may be true, the mere fact that the majority of homes on a street is seeking exemptions, indicates that this points to a larger problem. This situation is a failure of the current process to recognize key building lot attributes prior to granting approvals for building permits. A one size fits all Bylaw requiring every new home in the city to install sump pumps and drain away from their home without recognizing whether this process of water management works, is flawed.

In the staff report it is noted that “private property owners have a responsibility to ensure that water is properly and safely discharged from their property.” It also states that as per 629-11 of Municipal Code, homeowners are required to grade their lawns so that water flows away from their homes. The owners of homes on Portia Street have followed both these requirements. Unfortunately, in doing so, when there is a large volume of water from a high water table, the discharged water can flow onto sidewalks and create icing.

The staff report concludes that “the drainage issues on Portia Street may be caused by a number of issues including drainage of sump pump groundwater on the private property in a manner that causes it to flow towards road allowance.” How can the owners be faulted when they have merely followed the requirements of the City of Toronto?

In closing, I would strongly argue that the residents of Portia Street have already paid for sump pumps to manage water according to the City of Toronto's requirements. To ask them to pay again, when in essence the requirements of the city Bylaws and building codes have not worked, is unfair.