

Authority: Executive Committee Item 23.16, as adopted by City of Toronto Council on September 24 and 25, 2008, and Motion MM24.24, moved by Councillor De Baeremaeker, second by Councillor Carroll, as adopted by City of Toronto Council on September 24 and 25, 2008
Enacted by Council: December 3, 2008

CITY OF TORONTO

BY-LAW No. 1255-2008

To amend City of Toronto Municipal Code Chapter 681, Sewers.

WHEREAS Council may pass by-laws with respect to any service or thing provided or done by or on behalf of the City and with respect to public assets and structures of the City, pursuant to section 8 of the *City of Toronto Act, 2006*, including the right to regulate or prohibit with respect to such matters; and

WHEREAS Council on September 24 and 25, 2008, adopted a prohibition of the connection of downspouts to storm sewers in areas of the City, not previously prohibited under Municipal Code Chapter 681, Sewers; and

WHEREAS Council on September 24 and 25, 2008, re-opened Motion 1 of Public Works and Infrastructure Committee Item PW10.5, adopted as amended, by City Council at its meeting on November 19 and 20, 2007, for further consideration, and extended the effective date of the adopted by-law amendments to four years from the date of their enactment;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 681, Sewers, of The City of Toronto Municipal Code is amended as follows:
 - A. By renumbering § 681-11S(4) to § 681-11S(6) and inserting “, § 681-11S(4) or § 681-11S(5)” in the first line after “§ 681-11S(3)” so that the section reads as follows:
 - “(6) The General Manager may exempt properties from § 681-11S(3), § 681-11S(4) or § 681-11S(5) where the General Manager, in the General Manager’s sole discretion, determines that the disconnection of downspouts, in respect to a property, would create a hazardous condition or is not technically feasible.”
 - B. By adding the following to § 681-11S. Storm water drainage after § 681-11S(3):
 - “(4) No person shall permit or maintain the connection of a downspout from any building directly or indirectly to a storm sewer in the Basement Flooding Study Areas of the City, as identified on the map attached as Attachment 2.
 - (5) No person shall permit or maintain the connection of a downspout from any building directly or indirectly to a storm sewer in any other area of the City not otherwise prohibited under § 681-11S(3) or § 681-11S(4).”

2. Subsection 681-11S(3), Chapter 681, Sewers, of the City of Toronto Municipal Code in force date:
 - A. Subsection 681-11S(3) comes into force four years from the date of the enactment of By-law No. 1252-2007.

3. Other in force dates.
 - A. Subsection 681-11S(4) comes into force five years from the date of the enactment of this by-law.
 - B. Subsection 681-11S(5) comes into force eight years from the date of the enactment of this by-law.
 - C. Except as provided in C(1) and C(2), § 681-11S(6) comes into force four years from the date of the enactment of By-law No. 1252-2007:
 - (1) The addition of § 681-11S(4) comes into force five years from the date of the enactment of this by-law.
 - (2) The addition of § 681-11S(5) comes into force eight years from the date of the enactment of this by-law.

ENACTED AND PASSED this 3rd day of December, A.D. 2008.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

Attachment 2
Figure 2: City of Toronto Basement Flooding Areas (Outside the CSO Areas)

