

Back Lot Drainage Reserve Fund

Date:	November 14, 2007
To:	Public Works and Infrastructure Committee
From:	Lou Di Gironimo, General Manager, Toronto Water
Wards:	All
Reference Number:	P:\2007\Cluster B\TW\pw07042 (AFS# 5684)

SUMMARY

This report concludes that it is not practical to establish a back lot drainage reserve fund to provide financial assistance to private property owners to solve back lot drainage issues on private property.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

City Council at its meeting on July 16 and 17, 2007 adopted a policy that places the obligation to operate, maintain and repair private storm drainage systems entirely with the private property owner. A copy of the report can be found at: <http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-5145.pdf>.

The essential point of the policy is that privately owned facilities on private property are the responsibility of the owner and there will be no City funding provided towards the repair of those facilities. Furthermore, it is noted that Chapter 629, Property Standards, of the Toronto Municipal Code (the City's Property Standards Bylaw) provides that all catch basins, storm drains, ditches and swales shall be maintained free from defects and obstructions and also imposes a duty upon the owner of a property to repair, maintain and keep clean the property in accordance with standards, and take immediate action to eliminate an unsafe condition.

However, in adopting the policy, City Council also requested the General Manager of Toronto Water to report on the feasibility of establishing a back lot drainage reserve

funded through a surcharge on grading and paving permits, at no cost to the City, to partially assist with resolving local area community drainage problems.

The Council Decision Document regarding this request can be found under Item PW7.7 at: <http://www.toronto.ca/legdocs/mmis/2007/cc/decisions/2007-07-16-cc11-dd.pdf>

COMMENTS

Staff recommends against establishing a back lot drainage reserve, funded by a surcharge on grading and paving permits, to assist with resolving local area community drainage problems for the following reasons:

1. There are no grading or paving permits on which to place such a surcharge. Although the Ravine By-law does provide for a grading and filling permit in ravine lands, this matter is also regulated by the TRCA under their regulations which in most cases exempts the requirement for a City permit. Therefore, the Ravine By-law is too narrow to be considered the mechanism by which we would accrue funds across the City, for all types of development and/or building alterations.
2. There are no apparent existing mechanisms to secure the required funding for the reserve; and further
3. The Council approved policy on the Repair of Private Storm Drainage Systems prevents the provision of financial assistance by the City to a private property owner for the operation, maintenance or repair of a private storm drainage system.

This report was prepared in consultation with staff from Community Planning and Toronto Building.

CONTACT

Ted Bowering, P.Eng.
Manager, Program & Policy Development Unit
Water Infrastructure Management Section
Toronto Water
Tel.: 416-338-5473
Fax: 416-338-2828
Email: tbowerin@toronto.ca

SIGNATURE

Lou Di Gironimo
General Manager, Toronto Water