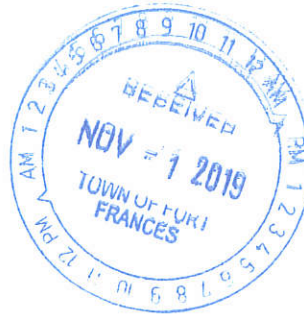


Dalton Taylor and Lydia Sharp
1021 Third Street East
Fort Frances, ON P9A 1S3



October 31, 2019

Town of Fort Frances
By-law Enforcement Office
Public Works Department
320 Portage Avenue,
Fort Frances, ON P9A 3P9

RE: 1015 Third Street East, Fort Frances – Sump line water discharge

Dear Sir/Madam:

This will confirm that we recently made a complaint to both the By-law Enforcement Department and the Public Works Department regarding the recent installation of a sump line at 1015 Third Street East that is being discharged directly on the municipal lane. The continuous discharge of water has caused flooding of the lane and adjoining properties. Both departments have advised the discharge of sump line subsurface ground water on municipal lane was permissible, which is extremely troubling.

As you are aware, the discharge from the sump line has created large puddles, erosion and continuously wet conditions on the municipal lane, which due to insufficient grading does not flow towards the storm sewers and therefor pools in the lane and neighboring properties. This has created a nuisance and a hazard. It has now reached the point that there are hazardous icy conditions and jagged ice chunks strewn about the lane and abutting properties. The Town could be held potentially liable in the event of property damage or personal injury.

The Town of Fort Frances By-law #06/16, and in particular paragraphs 8.4 and 8.8 (a), a copy of which is enclosed, applies to this situation and which should not be permitted to continue.

I trust that this matter will be addressed promptly and properly.

Sincerely,

Dalton Taylor
Lydia Sharp

Dalton Taylor/Lydia Sharp

cc: June Caul, Mayor

installation is made. The rates for the installation of this service are as provided in the current Town's User Fee by-law.

- b) Where as determined by the Engineer, there is no acceptable storm sewer or open ditch abutting the property, the property owner may make application annually for permission to direct the discharge from the weeping tile sump pump to the sanitary sewer between October 15 and March 31 each year. Approval by the Engineer, of the application is required before any connection to the sanitary sewer is made. The property owner shall terminate the connection of the discharge from the weeping tile sump pump to the sanitary sewer and redirect the discharge to the outdoors by March 31 or as directed by the Engineer.

In special circumstances, the Engineer may grant permission to a property owner to deviate from the foregoing required timelines.

No property owner shall permit the discharge from the weeping tile sump pump to the surface of any municipal roads during winter months.

8.3 Development requiring site plan approval

For all new site plan approvals, all existing connections of foundation drains (weeping tile) shall be removed and no new connection of foundation drains shall be allowed to the sanitary sewer system unless approved by the Engineer.

8.4 Discharge of foundation drain (weeping tile) flows

Every person shall discharge all foundation drain (weeping tile) flows from a building in accordance with this by-law.

8.5 Gravity connections

No gravity connection of foundation drains (weeping tile) will be allowed to the storm sewer system unless the system has the capacity to provide for such connections and is approved by the Engineer.

8.6 New plans of subdivision

Where ever possible no person shall create a lot that does not have a storm sewer adjacent to it and, in subdivisions where the subdivision agreement has been approved by Council no person shall create a lot that does not have a storm private drain connection, except where a geotechnical engineer certifies that foundation drains (weeping tile) are not required.

8.7 When sump pumps are discharged to ground surface

For all new subdivisions, where the subdivision agreement is approved by Council where ever possible sump pumps shall discharge foundation drain (weeping tile) flows into a storm sewer. Where a sump pump discharges foundation drain (weeping tile) flows to the ground surface, the following shall apply:

- a) if a problem related to a lot, caused by the discharge of the sump pump to the ground surface occurs prior to the Town's assumption of the street fronting that lot, the developer will be required to redirect the sump pump discharge to the storm sewer via a storm private drain connection at no cost to the Town;
- b) prior to the assumption of a street by the Town, the developer will be required to engage a geotechnical engineer to certify that the soil and ground water conditions on any vacant lot or lots are such that a direct connection to a storm sewer will not be required. If such certification cannot be provided, the developer shall be required to install a storm private drain connection to serve each affected lot, at no cost to the Town;
- c) prior to the assumption of a street by the Town, should the discharge of a sump pump on any lot adjacent to a vacant lot be required, because of unsuitable or unfavourable soil and ground water conditions, to be connected directly to the storm sewer, the developer shall install storm private drain connections to all vacant lots as directed by the Engineer, at no cost to the Town.

8.8 Requirements for foundation drain (weeping tile) flows

The foundation drain (weeping tile) flows from a building shall be discharged in the following manner:

- a) via a sump pump to the ground surface, provided that the discharge to the ground surface does not create continually wet ground conditions and/or do not create any adverse effect upon municipal sidewalks and roads or upon adjacent properties; or
- b) via a sump pump to a storm sewer; or
- c) via a sump pump to a dry well system, provided that appropriate soil testing is completed to establish the suitability of using a dry well system, and that the dry well system is designed and certified by a qualified Ontario Professional Engineer; or
- d) by gravity water flow to the storm sewer, if capacity and availability, as determined by the Engineer, exists in the storm sewer; and
- e) in subdivisions where the subdivision agreements are approved by Council, notwithstanding the requirements of clauses 8.8 (a) to (d) inclusive, sump pump discharges shall be connected to storm building sewers, which shall be connected to storm private drain connections.