

Environment, Infrastructure and Community Services Committee
City of Burlington
Re: CW-08-20
Low Density Residential and Infill Development - Managing Grading and Drainage
Monday, March 9, 2002

I'm here today to speak in support of any direction and recommendation that helps improve manageability and accountability for grading and drainage work in Burlington. The Shoreacres neighbourhood has seen its fair share of development in the last few years. I am advocating not just my behalf, but also on behalf of A.C.T., our neighbourhood association, and on behalf of all those who have endured, and will endure, challenges brought on by major construction projects. I share my own experience to provide you with some context as to why I feel this topic needs attention, knowing that my circumstances are not unique.

The Grading and Drainage By-law 52-2018 states that *"It is the responsibility of the Owner and Applicant to ensure that any changes in grading and drainage will not have a negative impact on neighbouring properties"*.

At previous meetings of City Council, the Planning Committee, and Committee of Adjustment, I spoke of the anticipated impact we would face as a result of a large house being constructed on our north side. My greatest concern was the redirection of ground water towards our home, caused by the excessive footprint the house would occupy. Now, about 5 months later, anticipation has so far proven to be a reality.

Where there used to be a 1000 sq ft footprint that was about 7.5' deep, there now sits a 3000 sq ft footprint with nearly twice the depth (the covered porch, 1st & second storeys make up for an additional 5700 or so sq ft of living space). The day after excavation was complete, ground water had already accumulated - several inches' worth in some spots. The foundation was poured and soil was backfilled, and water continued to accumulate. They asked for our help in drawing out water - *could we provide electrical service for their sump pump?* We agreed to do the favour, expecting it be for just a few days. You can imagine how long it takes to draw water away from an area of this size. The pump ran around the clock - for 3 weeks - until we finally told them they had to provide their own source of hydro, which is a whole other story for another time.

Since that foundation was poured, our own sump pump has also run with significantly higher frequency. We've taken into account the freeze/thaw weather pattern this year and compared to previous similar winters, as well as the 2014 flooding event, and never has our pump run this often. I attribute this directly to the water table that has been disturbed due to the large footprint. You've previously heard stories from others in our neighbourhood about this exact scenario, and I predicted this would happen to us as well, so my words should come as no surprise. I will be monitoring the pump very closely once the final grading and drainage work is complete to see if there's been any change.

The owners of the adjacent property have attempted to appease our concerns by providing occasional updates. And when asked, they provided a copy of the Grading and Drainage Clearance Certificate and the landscaper's drawing of their proposed work. However, when I requested to see the City-approved Grading Plans, the response back was "the City has advised us not to share those". I appreciate that there is no existing obligation to share those plans, but if there is nothing to hide, and there is a push for transparency at City Hall, AND we are talking about work that impacts our property, shouldn't we be able to access this information?

We are troubled by the knowledge that if we experience any water issues in our basement as a result of this work, our insurance provider will not provide any type of compensation. I was informed by a broker that, in fact, no insurance company would cover damages due to water displacement - or hydrostatic pressure - caused by construction.

Recently, it was announced that a developer is seeking to expand the Millcroft community by 100 homes. The residents of that neighbourhood are voicing very valid concerns about the impacts that development would have. We share their concerns and also wonder what will happen when that water table is disturbed. We know the creeks that run through Millcroft also run through south Burlington and into Lake Ontario. We all know about the 2014 flooding. If we know there is risk and/or precedent, why are we not doing more to limit development in these sensitive areas?

Our community has been affected on numerous occasions by excess water and runoff caused by overbuilding. There are presently other lands in Shoreacres that have been fenced off and are waiting for building permits or construction to commence. How are neighbouring homes going to be affected, but more importantly, how are they going to be protected from potential damage? No one should be expected to incur any expense as a result of someone else's construction, but that has happened, and will continue to unless better protections are in place for existing homeowners. My home was luckily not affected by the flooding in 2014 but if that same rain event were to happen today, I'm not confident that we'd come away unscathed.

These are preventable issues. How can someone who has been negatively impacted be compensated for their challenges? Sympathy is not enough. We need to improve the existing measures, to consider the implications of overbuilding, and to hold builders and the City more accountable. Seek out narratives from those most affected when forming your recommendations and allow stakeholders to access to the decisions and documents that will impact them.

The Committee is encouraged to adopt, and continue to work on, any initiatives that strengthen grading and drainage policies, and lessen the impact on established properties.

Thank you.

Respectfully,

Leslie Barbetta