

To the town council,

My family has lived at 6 Glendale Drive since 2005. I bought the home because of its location on a ravine. We had no drainage issues, nor had Mrs. Irwin who owned the home before us.

Then in 2015 we were hit with a double whammy. There was road construction and water line replacement in front of our home and there was house construction right up to our property line on the ravine side of our house. That is when all our sewage and water problems commenced.

I am not a person who enjoys confrontation; in fact, I will do whatever I can to avoid it. However, there comes a time when one has to take a stand, or be walked all over. I have had enough of the stonewalling tactics of those who should be making sure that new development does not negatively affect existing infrastructure.

You will have seen the correspondence that I have had with our previous town engineer (who was not the person who signed off on the drainage plan for my new neighbour) and our bylaw officer. I tried to handle the situation at that level, because these are the people that my taxes pay to make sure that development is done correctly. In my case it was not. The evidence is in the pictures.

I have been told basically that it is my problem because the issues are on my side of the property line. Apparently as an existing development, I am at the mercy of any new development that comes along. Does that sound right to you?

I then spoke with Brian Stephenson to see if he could help rectify the situation. We met to discuss the problem. He understood the drainage issues because he had to deal with a similar problem when there was new development in his area.

After his untimely death, I contacted Chris Rosehart ; she came over to see what I was dealing with, and suggested that I bring this matter to town council.

Tonight I am asking for two issues to be addressed, and I am hoping that the council will show the leadership that was talked about during the election campaign. It is you, and not unelected bureaucrats, who have been given the responsibility for the town's functioning.

The first issue is that of correcting the flooding that is occurring at our house due to both the road construction and the house allowed to be built four feet from mine in a ravine area, which has blocked our former drainage into that ravine.

I have also included pictures of the problem I have with snow buildup that contributes to flooding in the spring. This is again due to zero consideration for an existing property. I need to do a snow lift to avoid flooding. Do any of you have to do that?

The second issue is the repair that had to be done on my sewer pipe because of the excavation five feet away for the new development. You can see the letter that I sent to P.B.R. Excavating by registered mail, which they didn't deign to respond to. I wasn't surprised, unfortunately.

There is a third issue that I have been wondering about. I don't know what the long term consequences are of having the neighbouring property graded towards my wooden retaining wall. I suspect this is why I have water pressing up through cracks in the garage floor when the ground can't absorb anymore.

The following are what I have found in town by-laws relating to our issues:

2.09 LOT GRADING-DRAINAGE-SUMP PUMPS

2. Down pipes, sump pump, discharge lines and grading shall be designed, provided and maintained so as to discharge water runoff away from the building and to prevent flooding, erosion and other nuisance to neighbouring properties

Town of Tillsonburg

Site Plan Approval Guidelines- Storm Drainage Systems

Flows from adjacent properties - in the event that adjacent private properties drain onto the site being developed, the storm drainage system is to be designed to prevent storm water from backing up and creating a flooding or ponding condition on the adjacent property.

SECTION 4 – SITE PLAN CONTROL OBJECTIVES AND GUIDELINES

Building Location and Facility Design – All Developments

Location of Buildings and Facilities

The objectives of site plan control for building and facility location are to demonstrate the extent to which the massing and conceptual design of new developments:

☐☐ minimize conflicts with adjacent land uses;

☐☐ provide a comfortable and pleasing environment for the intended uses in terms of building orientation, form and siting;

☐☐ are consistent with or complimentary to existing buildings that are to be retained;

☐☐ are consistent with or complimentary to existing streetscapes;

☐☐ comply with Zoning By-law provisions; and

☐☐ manage drainage and lot grading on the subject site and mitigate the effects of development on adjacent properties.

Thoughts I have on correcting the issues:

The first issue can be corrected by first, putting in a retaining wall that slopes down to the road, with a trough on top to direct the water into the gutter, instead of into my driveway.

Secondly, the slope at the end of my driveway needs to be restored to its former upward angle, to keep the water that comes rushing down from Broadway during a downpour, in the gutter, and not being diverted into my driveway; especially when there is a buildup of leaves or other debris that hinder the flow.

Thoughts I have on paying for re-establishing proper drainage:

The company that did the road should restore our driveway to the way it was before they put in the sewer and water lines. They should have been aware of the slope of my driveway. They are the experts aren't they? Also, as noted in my letter to the town, there were supposed to be some advance measures taken to ensure that homes weren't negatively impacted by the road construction: not that anybody came to our house, as we let the town know at that time, by telephone.

Their work was not supposed to negatively affect existing infrastructure, according to what we were told at the beginning of the project.

What happened?

PBR Excavating should fix the drain that they knowingly cut off, rectify my downspout situation that they created and fix my driveway.

The second issue of the cost of the sewer repair could probably be rectified if a town lawyer were to write on my behalf. I earn less than \$18.00 an hour. I can't afford to chase these people, and I'm sure that is what they count on. Perhaps they could also be banned from doing business in the town.

If they thought that it would cost them more to ignore me, than to pay me, I might be recompensed for my expenses. I am not asking for anything unreasonable. Have they not been in violation of our by-laws and site development guidelines? Our by-law people are quick to go after residents whose property isn't clean enough for their neighbours. That doesn't even compare with what we have had to deal with. Yet they do nothing.

Also it was new construction allowed by the town that caused the breakage. Why should I have to foot the bill for new development to expand the tax base?

P.S.

When I first wrote this up to present to council in November of 2018, I was contacted by Kevin De Leebeeck. My wife and I met with him and David Calder at the town office. We were offered a resolution to the water problem and asked to hold off doing our presentation to give them the opportunity. Our driveway was dug up in November; then the cone of silence fell. We mistakenly assumed that the work would continue in better weather. It turned out that we were once again being

stonewalled in hopes that we would just go away. This is probably because it was confirmed that our driveway drain was cut off by the new development. That means that the drain needs to be restored and it will cost more money. As I suggested above, I think that the company who did the excavating should be on the hook for that and for the retaining wall that I spoke of. They were well aware that our house drained into the ravine. Their cure was the big 'O' on our downspout.

I have included the e-mail that I sent to Kevin. I have not heard from him. I also sent a copy to Chris Rosehart and Deb Gilvesy who have been to my house to see what I am talking about.

This issue was created by ineptitude as far as I am concerned. It doesn't take an engineering degree to know that water runs downhill, or that cutting off a drain is going to cause water to back up. That would be common sense, which doesn't seem to be too common nowadays.

I hope as my elected representatives you will see that our flooding issues become a thing of the past, and I don't mean in a couple of years. I have been trying for years to get this resolved already. My electrical bills are higher due to running sump pumps and if a storm knocks out the power we will be cleaning up another flood.

We rarely leave home for an extended period for fear of flooding; and have missed family engagements because rain was threatening at the time we were supposed to be there.

Would any of you care to live like that?

I was away on the weekend of August 17 and 18. My wife fought off the water from 2:00 a.m. until 6:00 a.m. After the fourth thunderstorm, the water overwhelmed the sump pumps and filled our garage. If one of us were to be electrocuted manning the pumps during a thunderstorm because we are dealing with a situation created by town planners, I would certainly hold the town liable.

I thank you for your time and for the privilege of being able to bring my concerns to you. I hope that you will agree with me that I should not have to live with the constant worry that I will face a flood every time we get a downpour. I am tired of leaping out of bed, adrenaline pumping, in the wee hours of the morning, to get sump pumps and hoses ready when I hear the sound of heavy rain on the roof. I have another job to go to during the day, and they want me to be productive.

Yours sincerely,

Maurice Temoin