

Downspouts By-law Information
(Thanks to D. Satok for preparing this information)

Below are excerpts that pertain to downspouts though much of it is also pertinent to catch basins. Comments have been added in *italics*.

From the Ontario Building Code:

Storm drainage pipe means all the connected piping that conveys storm sewage to a place of disposal and includes the storm building drain, storm building sewer, rain water leader, catch basin and area drain installed to collect water from the property and the piping that drains water from a swimming pool, other than a public pool, or from water cooled air-conditioning equipment,

From Toronto Municipal Code, Chapter 681 on Sewers bylaws:

681- 2 C. Discharge of water originating from a source other than the City water supply. The discharge of water originating from a source other than the City water supply, including storm water or groundwater, directly or indirectly to a sanitary sewer or combined sewer is prohibited...[Amended 2002-10-31 by By-law No. 855-2002] *Therefore, any connections of foundation drains, trench drains or downspouts to the sanitary sewers directly contravenes this bylaw.*

681-11 E In the event that a sewer connection is installed or operated in contravention of any provision of this article, the General Manager may, until such time as the violations are rectified, order the temporary disconnection of such sewer connection. During any disconnection in accordance with this section, no person shall use or cause or permit the use of such a connection. [Amended 2007-06-22 by By-law No. 704-2007]. *Therefore the City of Toronto has enforcement rights for bylaw infractions.*

681-11 (M) The owner of any building erected upon lands that abut on a street which is not serviced by a storm sewer shall construct a down-pipe from the eavestrough that shall discharge the water at grade with provisions to prevent soil erosion and shall conduct the storm water away from the building. *Therefore, even on streets like Grey Road without storm sewers, the downspouts cannot be connected to the sanitary sewers.*

681-11 O. (1) Where a catch basin or similar drainage collection system has been installed or is proposed to be installed on private property to drain storm water from a driveway sloped downwards towards any residential building located on the property, the storm water from the drainage collection system shall be discharged at grade away from the building in such a manner that the storm water will not accumulate at or near the building and will not adversely affect adjacent properties. [Amended 2000-10-12 by By-law No. 958-2000; 2002-10-31 by By-law No. 855-2002; 2010-07-08 by By-law No. 868-2010]. *Therefore, catch basins that collect water from recessed driveways cannot be connected to sewers.*

681.11 (S) Storm water drainage. [Amended 2002-10-31 by By-law No. 855-2002; 2005-10-28 by By-law No. 867-2005] An owner shall discharge storm water, unless a connection to a combined or storm sewer is otherwise permitted or authorized by the General Manager in writing under this section or § 681-11O, at grade away from any building or structure on that owner's property in such a manner that the storm water will not accumulate at or near the building or structure and will not adversely affect adjacent properties or create a hazardous condition. [Amended 2010-07-08 by By-law No. 868-2010] Inflow and infiltration of storm water into sanitary sewer system. [Amended 2002-10-31 by By-law No. 855-2002.

681.11 Q The owner of any building which has a roof water leader discharging storm water, either directly or indirectly, into the sanitary sewer connection shall disconnect the down-pipe from the underground portions at grade and shall conduct the storm water away from the building in such a manner that the storm water will not accumulate at or near the building and will not adversely affect adjacent properties.

681.11 R. Groundwater drainage system. [Amended 2002-10-31 by By-law No. 855-2002; 2005-10- 28 by By-law No. 867-2005] The direct connection of any new private sewer connection to the municipal storm sewer is prohibited for any new or reconstructed residential, industrial, commercial or institutional buildings. *Therefore, eaves and downspouts cannot be directly connected to storm sewers.*

681.11 S. Storm water drainage. [Amended 2002-10-31 by By-law No. 855-2002; 2005-10-28 by By-law No. 867-2005] An owner shall discharge storm water, unless a connection to a combined or storm sewer is otherwise permitted or authorized by the General Manager in writing under this section or § 681-11O, in a manner that is in compliance with §§ 629-11A, 629- 11A.1(1) and 629-20 of Chapter 629, Property Standards. [Amended 2010-07-08 by By-law No. 868-2010; 2013-12-18 by By-law No. 1696-2013].

No person shall construct, install or maintain, or cause or permit to be constructed, installed or maintained, drainage from any roof water leader or downspout that conveys storm water from any new or reconstructed residential, industrial, commercial or institutional buildings directly or indirectly to a sanitary, combined or storm sewer connection for the purpose of storm water drainage. [Amended 2007-06- 22 by By-law No. 704-2007; 2010-07-08 by By-law No. 868-2010].

No person shall permit or maintain the connection of a downspout from any building directly or indirectly to a combined or storm sewer in the combined sewer area of the City, as identified on the map attached as Attachment 1. [Added 2007-11-20 by By- law No. 1252-2007¹⁷].

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. [Added 2008-12-03 by By- law No. 1255-2008].

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). [Added 2008-12-03 by By-law No. 1255-2008].

An owner may make an application to the General Manager for an exemption from the provisions of § 681-11S(2), § 681-11S(3), § 681-11S(4) or § 681-11S(5) where, in the case of § 681-11S(2), compliance with that provision would create a hazardous condition; and where, in the case of § 681-11S(3), § 681-11S(4) or § 681-11S(5), the disconnection of downspouts, in respect to a property, would create a hazardous condition or is not technically feasible. [Added 2007-11-20 by By-law No. 1252- 2007; amended 2008-12-03 by By-law No. 1255-2008; 2010-07-08 by By-law No. 868-2010].

681-14.1. Penalties. Fine - for contravention — person, director, officer. Every person who contravenes a provision of this chapter and every director or officer of a corporation who knowingly concurs in a contravention by the corporation of a provision of this chapter, upon conviction, shall be liable to a fine of not more than \$50,000 for a first offence and to a fine of not more than \$75,000 for any subsequent offence. *The City of Toronto has the authority to fine individuals who break bylaws.*

Many homes in our neighbourhood where built in an era of different bylaws, however, the Mandatory Downspouts Disconnection program requires all residents of our neighbourhood to disconnect by December 2013 (Area 18) / December 2016 for Area 40.

A 'joint' connection (shared by two houses) to the sewers is not legal under today's bylaws but it is likely grandfathered:

Separate Connections. [Amended 2013-12-18 by By-law No. 1696-2013]

(1) No person shall install or cause the installation of a municipal sewer connection that services more than one building on a property unless otherwise permitted under the Building Code and this section.

(2) No person shall install or cause the installation of a municipal sewer connection that services more than one property.