

May 5, 2026

Chair Paula Fletcher
Infrastructure and Environment Committee
City of Toronto
100 Queen Street West
Toronto ON M5H 2N2

Sent via email to: iec@toronto.ca

RE: Agenda Item IE29.6: Amending the Foundation Drainage Policy and Storm Sewer Quality Limit for Manganese

Dear Chair Fletcher and Members of the Infrastructure and Environment Committee,

On behalf of the Building Industry and Land Development Association's Foundation Drainage Policy Working Group and the Residential Construction Council of Ontario, we thank you for the opportunity to provide written feedback regarding the proposed updates to the Foundation Drainage Policy (FDP) and Sewers By-law.

We acknowledge and appreciate the City's engagement with industry stakeholders and support the intent of the proposed policy changes to reduce approval barriers and improve development feasibility while protecting municipal infrastructure. We also recognize that some of the recommendations in the staff report reflect previous industry feedback, and we appreciate these efforts. However, we continue to recommend further refinements to fully meet the objectives of the review.

We respectfully submit the following comments in advance of the staff report being considered by Committee:

In the report, staff are recommending "The maximum dry-weather discharge rate from foundation drainage is 3 L/s/ha for sites > 0.7 ha, and 2 L/s for sites ≤ 0.7 ha." We acknowledge the increased flexibility for sites less than 0.7 ha. While we support increased flexibility for foundation drainage discharge to the storm sewer system, we are concerned that the proposed maximum dry-weather discharge rate of 3 L/s/ha remains too restrictive for many development sites.

Compliance with this requirement remains impractical based on a review of flow rates on active sites provided by industry, even with aggressive mitigation strategies. Requiring a lower flow rate for smaller sites may further exacerbate these constraints. Therefore, we continue to recommend that foundation drainage be treated as an aggregate component of a site's allowable peak storm discharge, as established through Functional Servicing and Stormwater Management studies based on Wet Weather Flow Master Management Plan (WWFMMP) targets.

The recommendation report also proposes "increasing the manganese quality limit in the Sewers By-law for storm sewer discharge from 0.05 mg/L to 2.0 mg/L." We acknowledge the increase from the originally proposed 0.27 mg/L and thank City staff

for incorporating industry feedback on this recommendation. This change brings the City of Toronto more closely in line with surrounding municipalities.

The report further proposes allowing “foundation drainage containing groundwater to be discharged into the City’s storm sewers, where the storm sewer to which the foundation drain connects will discharge directly into a watercourse or Lake Ontario without interacting with the combined sewer system.”

The report elaborates that “Approximately 70% of the combined sewer area is served by storm sewers that discharge directly into local watercourses or the lake without interacting with the combined sewer system and would be suitable for limited groundwater discharges under the amended FDP.” While we acknowledge this amendment to the FDP as a positive step, we recommend further analysis of the combined sewer system to determine whether additional refinements could be made to better support housing development. Further clarity is also required as to which areas of the system can support discharges to combined storm sewers.

We are requesting continued review and consultation due to the fact that there are site-specific development scenarios where smaller sites may contribute minimal—or even net positive—impacts to the City’s infrastructure, which cannot be addressed through a broad policy approach. An interim provision allowing detailed, site-specific review in exceptional situations could be appropriate.

Notwithstanding the aforementioned, many development sites within the City core will have no viable option to discharge foundation drainage to a City sewer regardless of flow volume. Therefore, we continue to recommend that a provision be included in the FDP to allow low-flow basement drainage to combined sewers, where appropriate.

The staff report recommends maintaining the current provisions for the grandfathering of development applications submitted prior to January 1, 2022, and those with existing exemptions. We support this recommendation and thank staff for their careful consideration of this feedback.

Finally, with respect to implementation timing, the report proposes that the new policy would take effect on October 1, 2026. We recommend that, in the interim period between Council approval and October 1, applications (SPA, zoning, and building permit) that reference compliance with the new policy receive clear review comments indicating that full compliance will not be required until the effective date. This approach would support a smoother transition and avoid unnecessary redesign work for applications expected to be approved after October 1, 2026.

In closing, we appreciate the City’s review of the Foundation Drainage Policy and Sewers By-law. BILD and RESCON appreciate the proposed amendments to the FDP and recommend ongoing monitoring over the coming year, with further opportunities to refine the policy should the intended outcome of increasing flexibility to support new housing development not be fully realized.

We look forward to continued collaboration with City staff as the policy evolves and welcome further dialogue to support effective and timely implementation.

Sincerely,



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