



22 June 2026

Members of North York Community Council
City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Members of North York Community Council,

Re: 39-43 Wilket Rd. and 1 Tudor Gate, Zoning By-law Application Number 25 249512 NNY 15 OZ

The York Mills Residents Association (YMRA) is an incorporated, non-profit residents' association operating in Ward 15 of North York. YMRA operates south of Highway 401 to north of Arjay Crescent - Hyde Park, and east of Bayview Avenue - Hedgewood Rd to west of Leslie St – Windfields Park. We represent over 10,000 households of the Ward.

We are not here to oppose new housing. We are here to ask that the City follow its own flood-protection engineering.

After the floods that damaged 134 homes in our area, the City spent four years and significant public money producing the Area 43 Environmental Assessment. That study set one firm rule for our neighbourhood: any new work must add no extra peak flow to the Wilket Creek trunk sewer during a major storm. That rule is not a suggestion. It is a Municipal Class Environmental Assessment (MCEA), an approved provincial standard, and it exists because our trunk sewer already overflows raw sewage into Wilket Creek during major storms.

Now here is the key point. The City's own engineers have already reviewed this application and *failed* it. In a memo dated January 20th, City Development Engineering put approval on Hold. In plain terms: in a 25-year storm, two sewer segments in our Tudor Gate sewer system would overflow sewage onto the surface, and the development would add flow to the Wilket Creek trunk sewer that is already full. The City rejected the applicant's request for relief. This is the City's finding, not just ours.

YMRA's supporting technical analysis is attached as Appendix A and provides the detailed basis for this request, including the MCEA no-net-peak-flow criterion, the City's January 20, 2026 Development Engineering memo, and the Sewer Capacity Assessment Guidelines (SCAG) Criterion 2 and Criterion 3 failures.

The applicant will say they can fix this by slowing rainfall into the local Tudor Gate sewer. We say that cannot work, for one simple reason: you cannot solve a trunk problem with a local fix. The trunk is

already at its limit. You can slow down the rainfall locally on our streets but it does nothing about the water already overloading that trunk from across Area 43, which is 854-hectares large. Even the City's own computer model shows there is nothing left at the local level to squeeze out. The only solution is to fix the sewer but the major sewer upgrade the City designed to create room — on Tudor Gate — has not been built yet.

So approving this today means adding sewage to a sewer that already floods, before the fix is in the ground.

We are asking Council for two things. First, make the “no net increase to the trunk” rule an enforceable condition in the zoning and holding by-law for this site — not just a staff comment. Second, adopt that same rule for all future applications draining to the Wilket Creek sewer trunk, because this is the first of many in Area 43 along the Central Bayview corridor.

Please protect the homes you already represent. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Chin", with a stylized flourish at the end.

Gary Chin
Development Subcommittee, York Mills Residents Association

APPENDIX A

TECHNICAL SUBMISSION TO NORTH YORK COMMUNITY COUNCIL

39–43 Wilket Road and 1 Tudor Gate — Proposed Residential Development

Re: MCEA Area 43 Design Criterion — No Net Peak Flow Increase to the Wilket Creek Sanitary Trunk Sewer

Submitted by: Gary Chin, Development Subcommittee, York Mills Residents Association (YMRA)
North York Community Council Meeting — July 7, 2026

1. Introduction and Summary of Position

The Area 43 Municipal Class Environmental Assessment (MCEA), filed under the *Ontario Environmental Assessment Act* in September 2020, established a binding design criterion for all remedial works in the study area: **no net peak flow increase to the Wilket Creek Sanitary Trunk Sewer (STS) under the May 12, 2000 wet-weather event**. This criterion is not a guideline — it is the approved EA standard against which AECOM scored and selected every preferred alternative.

The applicant's engineer (Lithos Group Inc.) proposes mitigation of flows on the *local* Tudor Gate sewer to satisfy the Sewer Capacity Assessment Guidelines (SCAG). YMRA submits that local mitigation to meet SCAG is insufficient and does not satisfy the MCEA trunk criterion. The City's own Development Engineering memo of January 20, 2026 has already confirmed the SCAG analysis fails Criterion 2 and Criterion 3. The trunk sewer surcharges above ground under storms larger than a 2-year event. No mitigation of local sewer flows can change that fundamental trunk system constraint.

YMRA asks Council to direct staff to embed the MCEA 'no net peak flow to trunk' design criterion as an explicit condition in the Zoning By-Law, any holding provision, and all future Site Plan Agreements for applications draining to the Wilket Creek Sanitary Trunk System — beginning with this application.

2. The Governing MCEA Criterion

2.1 The Exact Criterion and Its Source

The Area 43 MCEA Project File Report (AECOM, September 2020) and its supporting Technical Memoranda establish the following as a hard design criterion applicable to all preferred remedial alternatives in the study area:¹

"No net peak flow increase to sanitary trunk sewer"

¹Area 43 MCEA Final Project File Report (AECOM, September 2020), Technical Memoranda 1 & 4.

— MCEA Area 43, Technical Memoranda 1 & 4, confirmed in the Final Project File Report

The specific design storm for this criterion is the **May 12, 2000 wet-weather-flow (WWE) event** — the largest recorded event in the study monitoring period and the calibration storm for the Area 43 InfoWorks ICM dual-drainage model. AECOM confirmed that remedial works must achieve ‘safe conveyance of the May 12, 2000 design storm within City criteria **with no net increase to peak flows to the Wilket Creek Sanitary Trunk Sewer.**’

During the alternative analysis (Technical Memorandum 6), AECOM and Toronto Water confirmed this standard:²

“AECOM has discounted any alternative that involved a new connection to the Wilket Creek sanitary trunk sewer, which are not identified as a preferred alternative.”

— AECOM TM6, Alternative Analysis

“There will be no discernable increase in peak flow [to the Wilket Creek STS]... Agree — there will be no discernable increase in peak flow.”

— Toronto Water, Rod Anderton, City Review Comments in TM6

2.2 The MCEA Is a Governing Policy Document, Not a Guideline

The Area 43 MCEA was prepared under the *Ontario Environmental Assessment Act* R.S.O. 1990 c. E.18, following the Municipal Class EA Master Plan Approach 2. It was filed for a 30-day public comment period in September 2020 and accepted by the Ministry of Environment, Conservation and Parks (MECP) without request for elevation or further review. The MCEA is therefore an **approved EA document** with the legal standing of a planning instrument under provincial legislation. It is not a background study. It is not advisory.

All 89 preferred projects — including SAN 3-1b (66 m of 900 mm inline storage on Tudor Gate) and STM 3-6a (storm sewer replacement on Tudor Gate and Bayview Avenue) — are pre-approved as Schedule A/A+ capital works. The no-net-peak-flow criterion was the *governing constraint* under which those alternatives were selected. A Zoning By-Law Amendment that approves a development adding flow to the Wilket Creek STS without satisfying this criterion is inconsistent with an approved Class EA and is vulnerable to challenge at the Ontario Land Tribunal.

2.3 How the Criterion Applies to This Application

The proposed development at 39–43 Wilket Road and 1 Tudor Gate is a **55-unit, two-building residential development** (two 6-storey buildings) whose sanitary laterals connect to the existing local sanitary sewers on Tudor Gate and Wilket Road. Those local sewers drain directly to the **Wilket Creek Sanitary Trunk Sewer (STS)** — the receiving system the MCEA criterion is designed to protect.

The applicant’s own Lithos SCAG analysis confirms that under the May 12, 2000 WWE event, the proposed development increases peak flow at the trunk connection (Segment 11A, MH4466914632 / CN5384):³

²AECOM, Area 43 MCEA Technical Memorandum No. 6 — Alternative Analysis, Toronto Water review comments (Rod Anderton).

³Lithos Group Inc., SCAG Analysis (UD25-076), Segment 11A — MH4466914632 / CN5384: existing peak 73.34 L/s, proposed 74.83 L/s.

Parameter	Existing Condition	Proposed Condition	Change
Peak WWF at Trunk Connection (L/s)	73.34	74.83	+1.49 L/s
Net Increase to Trunk (L/s)	—	—	+1.49 – 1.83 L/s
Trunk Criterion Status	—	—	VIOLATED

Source: Lithos SCAG Analysis (October 2025, UD25-076) and Development Engineering Memo, January 20, 2026

A net increase of 1.49–1.83 L/s at the trunk connection — however small it appears in isolation — directly violates the MCEA’s no-net-increase design criterion. The criterion does not have a *de minimis* threshold.

3. The City’s Own SCAG Analysis Has Already Confirmed Failure

The City’s Development Engineering memorandum of **January 20, 2026** (Marija Ilic, P.Eng., Manager, Development Review – North York District) is unambiguous:⁴

“The provided sanitary sewer analysis does not meet Criterion 2 and Criterion 3.”

— Development Engineering Memo, January 20, 2026

3.1 Criterion 2 Failure — Surface Flow on Segments 9A and 10A

Under proposed Extreme Wet Weather Flow (WWF) conditions using the May 12, 2000 storm:

- **Sewer segments 9A (PipeID SL4039570) and 10A (PipeID SL4036590) experience surface flow** — the hydraulic grade line (HGL) rises above ground elevation, causing sanitary overflow to the surface.⁵
- Lithos argued these segments should receive a ‘relief’ from Criterion 2 because they are located in a ravine with no private drain connections. The City **explicitly rejected this position**.⁶

“A relief from fully meeting Criterion 2 cannot be considered for sewer segments 9A and 10A.”

— Development Engineering Memo, January 20, 2026

The SCAG relief provision requires the *existing* HGL to be at least 0.3 m below grade.⁷ At segments 9A and 10A, the **existing HGL already constitutes a surface spill condition**. There is no margin to absorb.

3.2 Criterion 3 Failure — Net Increase at the Trunk Connection

Criterion 3 of the SCAG requires that the proposed peak flow at the trunk sewer connection not exceed the existing peak flow.⁸ As the flow table above shows, the Lithos analysis demonstrates this criterion is violated by 1.49 L/s at Segment 11A (CN5384). **This is also an ipso facto violation of the MCEA no-net-peak-flow criterion:** SCAG’s Criterion 3 is the MCEA’s no-net-peak-flow standard expressed as a SCAG checklist item.

⁴Development Engineering Memorandum, January 20, 2026: “The provided sanitary sewer analysis does not meet Criterion 2 and Criterion 3.”

⁵Lithos Group Inc., Functional Servicing and Stormwater Management Report (October 2025, UD25-076), SCAG analysis, Segments 9A (SL4039570) and 10A (SL4036590).

⁶Development Engineering Memorandum (Marija Ilic, P.Eng., Manager Development Review – North York), January 20, 2026: “A relief from fully meeting Criterion 2 cannot be considered for sewer segments 9A and 10A.”

⁷City of Toronto, Sewer Capacity Assessment Guidelines, July 2021, “Criterion 2” and freeboard requirements.

⁸City of Toronto, Sewer Capacity Assessment Guidelines, July 2021, Section 3.4 and Table 4.

3.3 Model Integrity Issue — Unresolved Flow Anomaly

Development Engineering also flagged an unresolved data integrity problem in the InfoWorks model:⁹

“Scenario 3 – Existing Wet Weather Flow [InfoWorks]: please verify and confirm the large increase of US flow from 109.69 L/s to 64.42 L/s for the below manholes (MH4461514179 to MH4463314250).”

— Development Engineering Memo, January 20, 2026

A jump of that magnitude between adjacent segments in the *existing* scenario indicates a potential model error or unaccounted flow diversion. Until resolved, the entire SCAG analysis rests on an internally inconsistent InfoWorks model.

4. Why Local Sewer Mitigation Cannot Satisfy the MCEA Trunk Criterion

Based on YMRA’s meeting with Toronto Water and City Engineers, the City’s current working assumption appears to be that **Lithos can design mitigation measures on the local Tudor Gate sewer** (e.g., flow control chambers, underground storage) sufficient to reduce inflows below SCAG thresholds and thereby obtain approval. YMRA disagrees for the following reasons.

4.1 Local Mitigation Operates on the Wrong System

The MCEA criterion applies at the **Wilket Creek Sanitary Trunk Sewer control point** (CN5384/MH4466914632, Segment 11A), not at the Tudor Gate local sewer. The local sewer is the pipe between the site and the trunk connection. Reducing peak flow in the local sewer does not prevent that flow from eventually reaching the trunk — it only delays it.

Underground on-site storage or inline chambers can attenuate the instantaneous peak from the development’s own discharge. But they cannot intercept or reduce the **existing base inflow and infiltration (I/I)** loading on Segments 9A and 10A, which is the principal cause of the Criterion 2 surface-flow failure. The existing I/I rates in Flood Zone 3 range from 0.06 to 2.31 L/s/ha against a City design allowance of only 0.26 L/s/ha.¹⁰ A new development’s flow control device addresses only the development’s incremental contribution — it does nothing for the pre-existing overload.

Anticipated counter-argument addressed: Staff may suggest that even partial reduction at CN5384 is sufficient to pass Criterion 3. This does not address Criterion 2, which fails due to existing I/I on segments the development has no authority to rehabilitate. Meeting Criterion 3 after local mitigation while Criterion 2 remains unresolved does not constitute overall SCAG compliance.

4.2 The City’s Own Model Has Already Zeroed Out Local I/I — There Is Nothing to Mitigate

Development Review’s mitigation argument assumes that Lithos can reduce Rainfall-Derived Inflow and Infiltration (RDII) entering the Tudor Gate local sewer through improved construction practices, and that this reduction will offset the development’s incremental contribution at the Wilket Creek STS trunk

⁹Development Engineering Memorandum, January 20, 2026: request to verify InfoWorks existing WWF flow jump from 109.69 L/s to 64.42 L/s between MH4461514179 and MH4463314250.

¹⁰MCEA Technical Memorandum No. 2 (Rainfall and Flow Monitoring): measured I/I rates 0.06–2.31 L/s/ha; City design allowance 0.26 L/s/ha.

connection (CN5384) during the May 12, 2000 wet-weather event. The BFA43 InfoWorks ICM model — the City’s own calibrated tool — demonstrates that this assumption is not supportable.

The City’s BFA43 model uses the RTK unit hydrograph method to calculate RDII in the sanitary system. Each subcatchment has three components: short-term (rapid surface inflow), medium-term (infiltration through pipe joints and connections during the storm), and long-term (slow groundwater response after the storm). The parameter R defines the fraction of rainfall that becomes inflow for each component — an R-value of zero means zero flow from that component. As documented in Table 5.3 of the Lithos Downstream Sanitary Capacity Analysis, every subcatchment in the Tudor Gate/Wilket Road sewershed (43SAN1 through 43SAN12) has R = 0.000 for both medium and long-term components:¹¹

RTK Component	R (fraction of rainfall that becomes RDII)	T (hours)	K
Short-term (rapid surface inflow)	0.010	1.0	1.0
Medium-term (pipe joint infiltration)	0.000 — no modelled flow	1.0	1.0
Long-term (slow groundwater response)	0.000 — no modelled flow	—	—

Source: Lithos Downstream Sanitary Capacity Analysis (October 2025), Table 5.3 — RTK parameters extracted from City of Toronto BFA43 InfoWorks ICM model, uniform across all subcatchments 43SAN1–12

The medium and long-term R-values of 0.000 mean the model has **already pre-zeroed the infiltration components that improved construction practices are supposed to reduce**. Sealed foundation drains, tight lateral connections, and sealed manhole covers all address medium or long-term infiltration pathways. But those pathways carry zero flow in the City’s own model. You cannot claim mitigation credit for reducing something the model does not model. Any assertion that these measures will reduce peak flow at CN5384 requires re-parameterizing the RTK values in the BFA43 model and re-running it as a new scenario — work that has not been done, and that would require Toronto Water–Water Infrastructure Management (TW-WIM) review and sign-off before it could be accepted by the City.

The reason local RTK values are near-zero is directly tied to how AECOM calibrated the BFA43 model. During the study, AECOM found that the standard RTK method could not be fitted to Area 43 flow-monitoring data: the relationship between rainfall and runoff volume was non-linear, varying up to five times depending on antecedent soil moisture conditions. AECOM therefore substituted the **Ground Infiltration Module (GIM)** — a soil moisture reservoir model — to represent the dominant medium and long-term wet-weather I/I response across the entire 854 ha BFA43 sewershed.¹² The residual RTK R = 0.010 retained in the model represents only a small fixed rapid surface-inflow fraction layered on top of the GIM. The GIM is what drives the trunk’s wet-weather surge.

Lithos did not use or modify the GIM in their HGL analysis. They loaded the City’s BFA43 model as-is, added the proposed development’s sanitary flow to the connection node, and ran the May 12, 2000

¹¹Lithos Group Inc., Downstream Sanitary Capacity Analysis (Appendix F, October 2025): Table 5.3 — Input Parameters Wet Weather, RTK parameters extracted from City of Toronto BFA43 InfoWorks ICM model. Identical R, T, K values applied to all subcatchments 43SAN1–12.

¹²Area 43 MCEA Technical Memorandum 4 (AECOM, September 2020): ground infiltration module (GIM) substituted for standard RTK method after flow-monitoring data showed runoff volume varies up to 5× with antecedent soil moisture conditions across the 854 ha BFA43 sewershed. RTK residual R = 0.010 retained for rapid surface inflow only.

storm. The GIM executed automatically as a pre-built component of the calibrated model. Lithos had no authority to alter it — and rightly so. The entire WWF peak at CN5384 (73.34 L/s existing, 74.83 L/s proposed) is generated by the GIM-driven catchment-wide I/I response accumulating from upstream subcatchments across the 854 ha study area. The +1.49 L/s net increase between Scenario 3 and Scenario 4 is produced solely by the added dry-weather sanitary load. There is no site-level lever available to Lithos to reduce the GIM-generated trunk response.

AECOM reached the same conclusion for sealed manhole covers specifically. In the BFA43 alternatives screening (TM6 Table 3.3), AECOM **explicitly excluded manhole sealing from all four modelled alternatives**, describing it as “encouraged as a form of source control and general solution” but “not identified as part of alternatives to be modelled and evaluated.” AECOM noted that sealed covers must be avoided at system high points and that the dominant trunk surcharging driver is catchment-wide RDII entering via the pipe network, not direct inflow through manhole lids.¹³ Because it was excluded from the calibrated model, manhole sealing cannot be credited as a flow offset in any SCAG or MCEA analysis that relies on the BFA43 model framework.

The conclusion is categorical: **there is no site-level I/I mitigation measure available to Lithos that can reduce peak flow at CN5384 within the City’s own modelling framework.** The WWF surge that causes segments 9A, 10A, and 11A to surcharge to the surface originates from cumulative GIM-driven I/I across 854 ha of upstream catchment. No measure on a 0.5 ha development site can materially influence that response. Development Review’s suggestion that local sewer mitigation can offset trunk flows is inconsistent with both the model the City requires to be used and the modelling decisions AECOM made in building and calibrating it.

4.3 The Trunk Sewer Is Already Surcharging Above Ground

The MCEA establishes that the Wilket Creek STS **surcharges above ground under any storm larger than a 2-year return period.** Under the May 12, 2000 WWE event, the STS surcharges to the surface along the valley corridor. The STS has an approximate capacity of **750 L/s at the trunk connection point (CN5384).** Under existing conditions this capacity is already fully consumed in the design storm.¹⁴

Lithos mitigation of local flows may reduce the development’s incremental contribution at CN5384 to near zero — but the trunk itself is already at its hydraulic limit. **Proving no incremental increase from the development does not prove the trunk has capacity.** The MCEA criterion requires genuinely no net increase — not merely a smaller increase.

4.4 Meeting SCAG After Mitigation Is Not the Same as Meeting the MCEA Criterion

This is the central structural distinction that must be placed before Council. The table below sets out the hierarchy:

¹³Area 43 MCEA Technical Memorandum 6 (AECOM, September 2020): Table 3.3 – Alternatives Screening. Sealing sanitary manhole covers explicitly excluded from modelled alternatives: “Encouraged as a form of source control and general solution. Not identified as part of alternatives to be modelled and evaluated.” AECOM noted sealed covers must be avoided at high points of the system and that the dominant surcharging driver is catchment-wide RDII via the pipe network, not direct lid inflow.

¹⁴MCEA Area 43 Final Report (AECOM, September 2020) and InfoWorks ICM dual-drainage model: STS surcharges above ground under storms greater than a 2-year return period; trunk capacity approximately 750 L/s at CN5384.

Review Level	Scope & Control Point	Governing Standard	Can Local Mitigation Satisfy?
SCAG Criterion 1	Dry weather flow — Site to trunk pipe	SCAG Guidelines 2021	Yes — if DWF addition is small
SCAG Criterion 2	Wet weather HGL — Segments 9A, 10A (local ravine pipes)	SCAG Guidelines 2021	NO — City rejected relief; HGL already at surface
SCAG Criterion 3	No net peak at trunk — Segment 11A (CN5384)	SCAG 2021 + MCEA criterion	POSSIBLY — with flow storage; but see 4.1 above
MCEA No-Net-Peak-Flow Criterion	Peak flow to Wilket Creek STS (trunk system)	MCEA EA Act 2020	NO — trunk already surcharging; MCEA criterion not met

Source: MCEA Area 43 Final Report 2020; SCAG Guidelines July 2021; Development Engineering Memo January 20, 2026

4.5 Any Attenuation Device Must Meet Five Conditions Before the City Can Accept It

If Lithos proposes underground flow storage to reduce peak flow at CN5384, YMRA submits the following conditions must all be met before the City accepts this mitigation:

- The device must be modelled within the City's own Area 43 InfoWorks ICM model, not a standalone Lithos model. The City's model is the only calibrated representation of the full system including trunk surcharge and backwater effects.
- The City's InfoWorks model must confirm no net peak flow at CN5384 under the May 12, 2000 WWE event after accounting for existing I/I loads, backwater from Wilket Creek, and the proposed development flows.
- The mitigation device must be sized for the MCEA's 450 L/c/day growth scenario, not the 240 L/c/day rate Lithos used — roughly half the MCEA assumption. Any storage device sized to the underestimated Lithos flow rate will be undersized when actual wet-weather flows occur.¹⁵
- The device must be listed as a municipal asset with a maintenance agreement, or be proven not to depend on future maintenance to perform. Underground storage chambers on private land are not subject to City inspection and can fail or block over time.
- The device must not connect to infrastructure scheduled for demolition. The proposed development connects storm drainage to the existing 675 mm Tudor Gate storm sewer — the pipe MCEA Project 43-33 (STM 3-6a) is designed to replace with sewers up to 2,100 mm in diameter.¹⁶ Connecting new permanent services to infrastructure scheduled for replacement is not mitigation; it is creating a new liability.

4.6 Unbuilt MCEA Projects Mean the System Has No Current Tolerance for Additional Load

The sanitary inline storage on Tudor Gate (SAN 3-1b — Project 43-33) is **not yet built**. The MCEA sized that 66 m of 900 mm inline storage specifically to bring the Tudor Gate sanitary HGL to within the 1.8 m

¹⁵Lithos SCAG Analysis (UD25-076): development wastewater generation assumed at 240 L/c/day. MCEA growth scenario assumes 450 L/c/day.

¹⁶MCEA Project File Report (AECOM, September 2020): SAN 3-1b — 66 m of 900 mm inline storage on Tudor Gate sanitary sewer; STM 3-6a — storm sewer replacement Tudor Gate/Bayview, including 675 mm pipe scheduled for demolition. Combined capital cost Project 43-33: \$5,408,070.

freeboard criterion under the May 12, 2000 event. Until SAN 3-1b is constructed and commissioned, the system has **no tolerance for additional sanitary flow on Tudor Gate**. Any Lithos flow attenuation device proposed upstream of the unbuilt SAN 3-1b does not replicate the hydraulic function of that MCEA project.

4.7 The Holding Provision and This Submission

YMRA acknowledges that Development Review has recommended a Holding (H) Symbol on the Zoning By-Law Amendment for this application, to be lifted upon satisfaction of servicing conditions. YMRA supports the use of the Holding provision as a procedural mechanism, but submits that it does not, in its current form, resolve the substantive MCEA trunk criterion issue.

A Holding provision operates as a condition on the face of the Zoning By-Law. It defers the right to develop until prescribed conditions are met. For the Holding provision to protect existing residents, the condition it prescribes must be the correct standard — namely, demonstration that the proposed development will result in **no net peak flow increase to the Wilket Creek Sanitary Trunk Sewer under the May 12, 2000 wet-weather event**, verified using the City’s own Area 43 InfoWorks ICM model. A Holding condition that references only SCAG compliance, without explicitly incorporating the MCEA trunk criterion, does not provide that assurance.

The Requests set out in Part 5 of this submission apply with equal force to the Holding provision and to the Zoning By-Law Amendment itself. YMRA respectfully requests that the wording of any Holding condition for this application, and for all future applications in the Wilket Creek STS sewershed, explicitly reference the MCEA ‘no net peak flow to trunk’ criterion as the governing standard that must be satisfied before the Hold is lifted.

5. Relief Requested

YMRA respectfully requests that North York Community Council:

1. **Embed the MCEA ‘no net peak flow to trunk’ criterion as an explicit condition in the Zoning By-Law** — not merely a staff comment — directing that no Site Plan Approval shall be granted and no building permit shall issue until the applicant demonstrates, to the satisfaction of the Director, Engineering Review, that the proposed development will result in no net peak flow increase to the Wilket Creek Sanitary Trunk Sewer under the May 12, 2000 wet-weather-flow event, consistent with the Area 43 MCEA design criterion.
2. **Establish the ‘no net peak flow to trunk’ standard as standing policy** for City Planning and Development Engineering for all applications draining to the Wilket Creek STS sewershed, requiring: (a) cumulative capacity assessment for all such applications; and (b) a capacity ledger tracking allocated and residual trunk capacity after Area 43 remedial works are constructed. This application is the first practical test; if local sewer mitigation is accepted as a substitute for trunk confirmation here, future applicants at 1 Wilket Road, 2 Wilket Road, and the broader Bayview Avenue corridor will invoke the same precedent.

6. Conclusion

YMRA is not opposing intensification as a land-use principle. YMRA is asking City Council to ensure that the City's own engineering — the Area 43 MCEA, developed over four years at significant public expense — is not bypassed by a local sewer checklist.

The no-net-peak-flow criterion exists because 134 properties flooded across the study area during the May 2000, August 2005, July 2013, and October 2015 storm events. The MCEA's preferred solution was conditioned on that criterion. The remedial capital works — Projects 43-27 and 43-33 — have not yet been built. The trunk sewer surcharges above ground under any storm larger than a 2-year event.

Approving a development that demonstrably adds 1.49–1.83 L/s net peak flow to that already-surcharging trunk, on the theory that Lithos can design local attenuation devices sufficient to reduce the increment to zero, is not consistent with the MCEA's intent, the City's approved EA, or the City's duty to protect existing residents from flooding.

YMRA respectfully requests that Council embed the MCEA criterion as an explicit, enforceable condition in the Zoning By-Law, the holding provision, and any subsequent Site Plan Agreement for 39–43 Wilket Road and 1 Tudor Gate, and adopt it as standing policy for all future applications in the Wilket Creek Sanitary Trunk System sewershed.

Respectfully submitted,



Gary Chin
Development Subcommittee, York Mills Residents Association (YMRA)
North York Community Council Meeting — July 7, 2026