



July 22, 2021

Uwe Mader, Senior Engineer
City of Toronto –Engineering & Construction Services
Engineering Support Services - Business Improvement & Standards
North York Civic Centre
4th fl., 5100 Yonge St.
Toronto, ON M2N 5V7

Sent electronically via email

Re: City of Toronto – Foundation Drainage Policy Review

Dear Mr. Mader:

The Residential Construction Council of Ontario (RESCON) represents more than 200 residential builders of high-rise, mid-rise and low-rise buildings in Ontario. Our goal is to work in cooperation with governments and related stakeholders to offer realistic solutions to a variety of challenges facing the residential building industry, to ultimately deliver much needed housing.

We recently became aware of a City of Toronto presentation to BILD on July 8, 2021, by Toronto Water - Water Infrastructure Management, regarding the Foundation Drainage Policy Review for new developments. RESCON would have liked to participate in the discussion but was unfortunately not made aware of the presentation. RESCON has long been engaged with Toronto Water and other City departments on a wide range of policy issues affecting construction requirements pertaining to new residential buildings in Toronto.

After reviewing the July 8, 2021 presentation material, RESCON has several concerns with the proposed policy direction. First off, we do not feel adequate stakeholder engagement or consultation was performed on behalf of the City before developing and moving forward with the proposed foundation drainage policy direction. Dating back to 2019, the City of Toronto was working towards developing a long-term strategy to guide groundwater management for new developments, including a series of workshops that were supposed to engage stakeholder and industry experts to inform the City's Groundwater Management Strategy. The workshop series seemed to take a positive step forward, however after the second workshop on watertight foundations, the City's engagement with industry seemed to drop off until the recent July 8 presentation to BILD.

While we understand the City's objective to preserve sewer capacity by offloading foundation drainage to be managed on-site rather than being discharged to the City's sewer system, we feel this trend represents a larger systemic issue affecting new developments. Storm and sanitary sewer infrastructure are to be managed, maintained and under the general purview of the City of Toronto. However, it has been an ongoing issue that the development industry is being burdened with the fact that the City's aging, constrained and largely antiquated sewer system continues to impose restrictions and limitations on approved new developments. Development charges, which are set, collected, and managed by the City of Toronto are supposed to provide for growth related infrastructure, under the notion that "growth pays for growth". The City of Toronto has some of the highest development charges for new development in

all North America, yet policies such as the recently presented one aim to further offload more municipal infrastructure related burden onto the private development industry, with no concession for the fact that development charges are supposed to have accommodated for development related infrastructure such as sanitary and storm sewer capacity. It represents a disturbing trend that the City continues to raise development charges, while at the same time not providing the necessary sewer infrastructure to accommodate new developments and offloading more requirements onto developers. Forcing groundwater and/or infiltrated stormwater to be managed on-site rather than discharged, will add considerable upfront costs to new high-rise residential developments, exacerbating an already unaffordable housing market.

It was previously understood by the development industry that the City may restrict foundation drainage of groundwater and/or infiltrated stormwater at certain geographic locations within in the City due to site specific sewer capacity pinch points. Meanwhile, the latest Foundation Drainage Policy proposal seeks to mandate this policy direction City wide. The proposed new policy also does not offer a meaningful, long-term solution to many sewer infrastructure issues (capacity limitations, combined sewers, wet weather flow, outfalls, etc.), but seems to represent a band-aid solution of sorts and more of a download to the development industry.

We feel there can be alternatives to the proposed policy direction that the City is hoping to move forward with, including other factors which are currently under review by the City such as the Zoning By-law Parking Requirements Review by Toronto Transportation Planning, that may greatly reduce the amount of mandated parking and therefore the required underground depth of parking garages in new residential developments.

The recent presentation on Foundation Drainage Policy Preview identified next steps as the establishment of a peer review process and establishment of an effective date. RESCON would again like to strongly urge the City to undertake a more fulsome and comprehensive consultation on the proposed changes before moving forward, taking into account the many additional stakeholders that were left out of the sole presentation to BILD. The proposed changes do not only pose a significant challenge for residential builders and developers, but also ICI developers and constructors as well and the many design professionals involved in all these high-rise building projects.

Please do not hesitate to contact the undersigned if you would like to further discuss these matters.

Best regards,

Paul De Berardis
Director, Building Science & Innovation

Amina Dibe
Manager, Government & Stakeholder Relations

Copy to:

Tracey Cook, Deputy City Manager, City of Toronto
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Danielle Chin, Director, Policy and Advocacy, BILD