

Johnathan - Delegation to Whitby Committee of the Whole - September 21, 2020

Good evening Mayor Mitchell and members of council. My name is Johnathan Schickedanz and I am the general manager of FarSight Homes and the current president of the Durham Region Home Builders' Association.

I stand before you today, a third generation Ontario developer and builder, with great concerns about the proposed Whitby Green Standards. I have thoroughly reviewed the Standards and I would like to highlight some issues that I think council should consider before you vote. Tonight I will be speaking to the HomeBuilding aspect of the standard as my colleagues will be addressing development concerns through their delegations.

First, it should be noted that the Ontario Building Code (OBC) is the provincial legislation that builders across the province are mandated to follow. Builders, trades, professionals and building inspectors know and understand the code. The OBC is updated on a regular basis and does include measures to make homes more energy efficient. Sometimes, however, municipalities become frustrated with the amount of time it takes to update the Ontario Building Code, and create programs such as the Whitby Green Standards to hurry things along.

One of the big problems with doing that is that it rushes the entire process. Changes to the Ontario Building Code take time because nowadays houses are built as a system, which means that any change to the home could impact the entire house. There are both provincial and national code committees that vet potential changes, and that vetting process includes ensuring that the changes will improve the build quality and provide a healthy and safe space for homeowners. Skipping this process could lead to unintended consequences for both homeowners and the Town of Whitby who mandated the changes.

It also gives everyone in the building industry, including trades, suppliers, architects and engineers time to learn the new building methods and products and ensure that they have the proficiency needed to construct a new home. The Ontario Building Code provides advance notice of changes to ensure that everyone is on the same page when the changes take effect.

The building industry is already regulated by two levels of government - provincial and federal. There simply isn't the need to add another layer of red tape to the process.

Although several builders have been building to an advanced standard like Energy Star, it should be noted that these third party programs were never designed to be mandated as part of the OBC. Due to the number of programs available and the changes that these programs undertake builders will generally select to use them on a project by project basis should there be merit to do so. Even within the Durham Region Home Builders' Association, we have builders that have plans to test building to Net Zero Levels in discovery homes. They do not need the municipality to mandate that they have to, and in fact, rushing to that level without taking the proper steps could lead to builders that are completely unprepared to build these types of homes and or unneeded cost overruns that get pass on to the purchasers. It is also to

be noted that although the town building department and staff understand most of these advanced construction practices it falls outside of their mandate. Thus they are not able to inspect and sign off on the advanced construction details or peer review the performance data. This work and signoff comes from third party building scientists.

While Town staff hosted consultation sessions, it seems that very few of the concerns brought forward by the building industry were addressed. This is very concerning to us as builders and developers, and should be concerning to council as well. At this point in the process, staff have used consultants that may be experts in climate change and energy efficiency, but have failed to properly work with the very people that will be constructing these homes and communities.

In conclusion, it would be a mistake for council to vote in favour of the Whitby Green Standards in its current format. Not only are the standards not legal nor are they enforceable, but they are fast forwarding a process that takes time for a reason.

By mandating above the Ontario Building Code and the Planning Act, the Town of Whitby may also put itself in the position of being liable for any unintended consequences.

Tonight, vote no to the Whitby Green Standards and direct staff to work sincerely with the building industry to create a voluntary program with incentives to encourage the development of greener communities.

Thank you for your time and I'd be happy to answer any questions at this time.