

Tiago - Delegation to Whitby's Committee of the Whole - September 22, 2020

Good evening Mayor Mitchell and members of council. My name is Tiago Do Couto and I am the vice president of the Durham Region Home Builders' Association. Thank you for taking the time to hear my delegation.

DRHBA represents over 170 member companies that work in the residential construction industry in Durham. We have been keeping our members informed about the Whitby Green Standards throughout this process, and our members have told us that they unequivocally do not support the implementation of this program.

There are several areas of concern, including mandating above and beyond the Ontario Building Code, making requirements beyond the Planning Act, negatively impacting affordability and creating an opportunity for unintended consequences that will negatively impact new home owners along with the Town of Whitby itself

In my delegation tonight, I am going to focus on the land planning and development side of the Whitby Green Standards. While I am happy to answer any questions about the technical aspects, with my five minutes I am going to keep things very general.

Several of the items within the proposed Whitby Green Standards would require a developer to provide additional land than is set out in the Planning Act. The standards would be mandating more land for things such as parkland, green spaces, pollinator habitats, community gardens, and additional parking. This is over and above the land a developer already provides for parkland, municipal infrastructure, storm water ponds and natural features such as streams, woodlots, valleylands and other protected green spaces.

With land costs as high as they are, these additional land contributions would likely result in projects becoming unviable for development within the Town of Whitby. Furthermore, this addition of parkland and other types of green space and parking areas over and above the current regulations would also increase the maintenance costs that will be passed down to the general property tax payer.

Other standards contradict municipal policies that are already in place. Builders are required to comply with architectural control guidelines, who's main goal is to prevent 'cookie cutter' subdivisions. These guidelines provide for differentiation of houses being built within a community. The proposed guideline for reducing the heat island effect flies in the face of this by requiring units to have reflective colours for their roofs and facades, essentially creating a very uniformly coloured community..

There are also standards that require the cooperation of the homeowner that can't possibly be the responsibility of the developer/builder. For example, the Standards has a requirement for 100% non-potable water to be used for irrigation. Builders and developers have no way of enforcing how homeowners use their home amenities and prohibiting their use of hoses should they decide to water their lawns. Tree canopy requirements also mean that planting is required within private property and needs to be monitored and secured for 10 years. How is

a developer/builder supposed to prohibit homeowners from removing any of these plantings within those 10 year periods.

Finally, there are requirements in the guidelines for the inclusion of low impact development measures to be implemented throughout new subdivisions and site plans. However, with the current stance of the municipality, these LID's cannot be installed within any public property including parks. This means that these LID's need to be installed within private property. Again, how is a builder/developer supposed to prohibit a homeowner from altering any of these features within their own private property. If the Town of Whitby really did want to be proactive and progressive with standards like these, these LID's should be allowed to be placed within town property and not essentially telling builders and developers that building green is 100% our industry's responsibility.

Throughout this process, the Durham Region Home Builders' Association has participated in every available stakeholder consultation session. The Association has also provided letters detailing our concerns to the Whitby Green Standards committee as well as to council. At this time, we have not received any formal response to any of our letters, and when reviewing the final draft of the Whitby Green Standards, it is clear that none of our concerns were considered.

It would be very irresponsible of council to pass these Standards in their current form. Much more consultation with the building industry is needed and Town staff should actually consider the feedback they are being given.

I, on behalf of the Durham Region Home Builders' Association, am asking council to vote against the Whitby Green Standards in its current form tonight, and instead to direct staff to work with the building industry to create a program that is voluntary and that includes incentives.

Thank you for your time and I am happy to answer any questions you may have.