November 22, 2025

Ministry of Municipal Affairs and Housing
777 Bay Street, 17th floor
Toronto, Ontario
M7A 2J3

Via e-mail: PlanningConsultation@ontario.ca

Re: Consultation on Enhanced Development Standards – Lot Level (ERO #025-1101)

To Whom It May Concern:

The Residential Construction Council of Ontario (RESCON) welcomes this opportunity to comment with respect to the above noted proposal. RESCON is Ontario's leading association of residential builders who construct over 70% of the new homes across the province.

Ontario is currently facing the most pressing housing affordability crisis experienced in generations. Combined with an enormously challenging economic climate, the overly burdensome regulatory environment the new housing sector operates in has created a disconnect between what potential homebuyers can afford versus what builders can sell new homes for. We need to rein in runaway municipal development requirements which contribute unnecessarily to new housing costs, and we applaud the efforts of Bill 60, Fighting Delays, Building Faster Act.

We would also like to be clear, home buying consumers are not asking for nor demanding the measures municipalities are mandating in their green development standards. These are nothing more than the virtue-signaling of municipal councilors and mayors who are pushing an agenda onto home buying consumers. This has the effect of slowing down the approval and construction of new housing while inflating costs. Consumers have made their views evident through the current lack of new home sales activity. They are demanding homes be delivered more affordably, and these enhanced municipal development standards do not align with that objective.

Although the Ontario government passed Bill 17, the Protect Ontario by Building Faster and Smarter Act, which amended the Ontario Building Code to further clarify municipalities

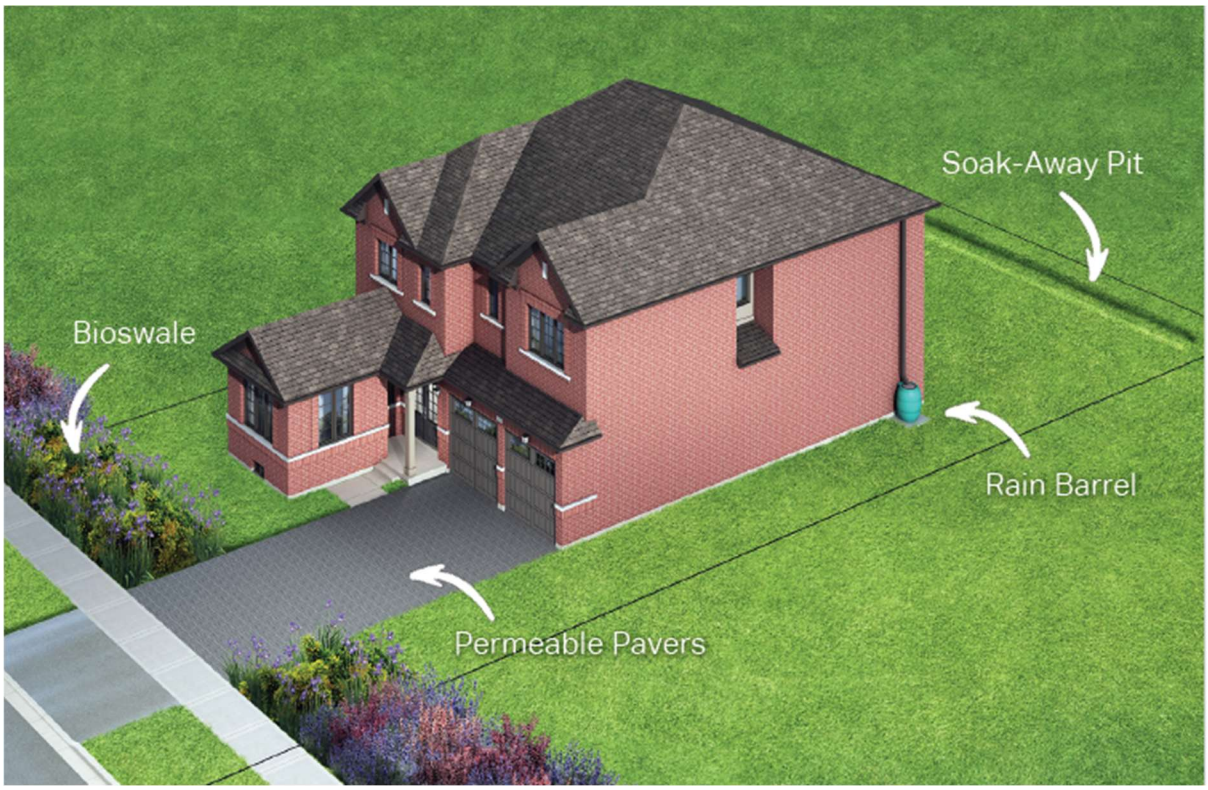
cannot pass by-laws respecting the construction of buildings, many municipalities have blatantly ignored the legislation. The intent of Bill 17 was to clarify that municipalities cannot require standards that exceed the Building Code, particularly with respect to green building standards which vary across municipal jurisdictions. However, municipalities still believe they have the authority under various planning mechanisms or development approval authorities to continue to require green building standards, modifying construction requirements within a home or building. Our research shows green building standards increase construction costs anywhere from approximately 3-12% depending on the municipality and the type of housing. Additionally, lot level green development standards can increase construction costs even further. As such, RESCON recommends that the Ontario government continue to enact legislation to further strengthen the existing measures under Bill 17 and rapidly pursue the implementation of Bill 60 to bring down the cost of delivering new housing.

Similarly to green building standards, green development standards vary across municipal jurisdictions. This has become a major challenge for not only builders who operate in multiple jurisdictions, but also their design consultants who prepare the various reports, studies and drawings to demonstrate compliance with these requirements. The result of this is a development approval process which is measured in years, as applicants jump through the hoops necessary to submit the countless reports and studies needed to satisfy the green development standards. To make matters worse, not only is there variation in all the green development standards across municipalities, but the frequency with which they are updated varies, creating an out-of-control matrix of differing municipal requirements (building and development) in conjunction with varying update frequencies across municipalities. As an example, the Town of Ajax, City of Pickering, Town of Whitby, and Municipality of Clarington each have their own Green Development Standards, but the City of Oshawa does not. On top of that, the Region of Durham is in the process of creating a regional Green Development Program to overlay in addition to the municipal ones. Even within one regional government, neighbouring municipalities cannot agree to align similar programs. There is no consistency or thoughtful implementation as each municipal and regional government operates in their own silo, demonstrating why this truly needs to be regulated from the top down by the province.

Proponents and advocates of green development/building standards proclaim that these measures neither lack standardization nor slow down housing approvals. This could not be further from the truth. As examples of the lack of consistency across municipalities, the City of Toronto, Town of Halton Hills, Town of Whitby, and the Town of Ajax utilize tiered mandatory standards, whereas the cities of Brampton, Markham, and Vaughan all use a points-based approach to green standards, with a minimum points threshold that must be achieved. Many other municipalities use mandatory green checklists or picklists where a certain minimum number of measures are required to be implemented. All this variation and inconsistency create significant confusion and lack of clarity for builders attempting to navigate the incredibly complex development application process from one municipality to the next.

Further, municipalities continue to implement new green development standards even at the time of writing this submission. For example, on November 10, 2025, the Town of Newmarket Committee of the Whole received a staff-authored report regarding the Town's Green Development Standards. On December 8th, Council will consider approval of the November 10th recommendations enabling the policy to be incorporated into the new Official Plan Review. Industry consultation and costing analysis identified the additional cost of compliance to be between $30,000 and $50,000 per unit (which will ultimately be borne by new homebuyers). Despite current housing market realities, with new housing starts stalled and new home sales activity down 90%, Newmarket is willingly introducing green development standards knowing full-well they will be adding tens of thousands of dollars of new costs to be passed onto homebuyers. This is simply irrational.

The consultation paper asks about the costs of enhanced development standards at the lot level. This question is challenging to answer simply because many municipalities apply a variety of requirements, and there is also variation between ground-oriented housing and high-rise building. However, to provide some insights, below are some examples of actual requirements numerous municipalities have mandated. Often, low-rise lot level enhanced development standards encompass aspects of Low Impact Development (LID) which are intended to replace or minimize typical stormwater management infrastructure. Common LID elements include soak-away pits, bioswales, permeable pavers and rain barrels. All these examples are sourced from a municipal green development standard within York Region.



A soak-away pit is usually a long and narrow sodded depression in the backyard, lined with geotextile fabric, clean granular stone, and a perforated drain, designed to intercept stormwater and allow it to infiltrate into the soil. Homeowners are not supposed to block or cover a soak-away pit with landscaping, trees or ancillary structures, but this often happens anyway as the feature impedes the useable space within the backyard. The cost of a soak-away pit is approximately $6,000 per lot.

Bioswales are landscaped channels designed to collect and treat stormwater. Often located in the front yard, they may be planted with native plants, flowers and grasses. The desired effect is that the combination of vegetation and granular stone slows runoff and allows it to filter through the engineered soil bed. Experience has shown, homeowners generally do not maintain the vegetation within the bioswales and do not like the curb appeal of this feature, commonly removing or re-landscaping the bioswale. The cost of a bioswale is approximately $4,000 per lot.

Permeable pavers are a type of paving material with specially designed wider joints usually filled with small stones. This feature is supposed to allow stormwater to drain through and seep into the ground below. Often prescribed to be used for driveways and walkways, they are intended to reduce the effect of stormwater runoff. Because of the wide joints between units, permeable pavers easily become overrun with weeds and often become an eyesore for homeowners. Many homeowners replace permeable paver driveways with low maintenance asphalt, concrete or traditional interlock products, sending this costly feature to the landfill. The cost of a permeable paver driveway is approximately $20,000 per lot.

Rain barrels collect rainwater from eavestroughs and downspouts to be stored for reuse. This is a common LID feature which homeowners almost unanimously do not want, leading to them being removed and disposed of soon after moving into their new home. The cost of rain barrels is approximately $800 per lot.

While these LID elements are often championed in green development standards, it once again shows the disconnect between municipal decision makers and homeowners. A large majority of new homeowners often undo or alter many of these features at the lot level after occupancy to better suit their preferences and needs. Green development measures do not benefit the health and safety of the residents in any meaningful way, yet they add significant costs for new homebuyers, many of whom would opt out of these costly features if they had the opportunity to apply the cost savings to their mortgage.

The requirement for permanent and accessible urban agricultural space is another aspect of green development standards applying to a broader draft plan of subdivision rather than just the individual lot level. Examples of this can include anything such as a community garden space, edible landscaping (with labeled plants and signage containing harvesting guidelines), small farm/orchard, private garden or rooftop garden. Like the previously mentioned LID measures, these urban agricultural spaces become the responsibility of the community and more importantly, individual homeowners after the developer turns over the subdivision to the community. This requirement falsely assumes new homebuyers in the

community will all share in the same green-vision pushed on them by the municipality. As a result, these spaces almost immediately fall into a state of disrepair through neglect and lack of usage or maintenance. Once again, homeowners are paying the price for measures which are imposed on them by municipal mandates, even though there is no market demand for these measures. Municipalities feel they are delivering infrastructure that homeowners want, but they are too far disconnected from the market realities.

To highlight some other green development standard examples, the following come from municipalities within the Region of Peel. Some green development standards stipulate very specific requirements for soil type, drought resistant vegetation and the planting of native tree species as conditions of development or official plan requirements. These can include measures covering both soil volume and soil quality for trees most commonly planted along the boulevard between the roadway and sidewalk. Requirements for soil volumes, soil quality/health, tree species, drainage criteria, soil compaction and soil depth quickly become very onerous and complicated simply to facilitate tree planting. Native soil often needs to be excavated, removed off-site and dumped far away, only to bring in new replacement soil which has been tested and amended to achieve the soil properties outlined by a municipalities soil fertility requirement. It is ironic however, that the municipalities' green development standard with strict soil requirements, are undone after the first winter when de-icing salt and brine unintentionally contaminate the newly placed soil, not to mention the environmental impact of the excavation and transportation of the native and new soil. The cost of soil and plant species requirements is approximately $5,000 per lot.

A common theme and term appearing in several green development standards is a strategy to reduce the urban heat island effect. This refers to an attempt to address the estimated temperature difference caused by development due to the developed area having a warmer temperature than an adjacent rural area. Green development standards seek to reduce the urban heat island effect by incorporating various measures such as reflective paving surfaces (cool pavements or high-albedo materials). This strategy also carries over to buildings where green development standards prescribe measures such as green roofs, high reflectance roofs (cool roofs) and/or incorporating solar photovoltaics (PV). This then triggers what is called a solar readiness requirement on new homes and buildings, whereby all buildings need roof structures designed to be solar-ready in terms of structural design requirements to carry additional loads from the solar PV. Since addressing urban heat island incorporates so many broad requirements and it is applicable to anything from ground oriented single-family homes to high-rise buildings, there is too much variation to provide a cost estimate, although there is obviously an incremental cost to all these measures.

It is understood that this consultation is trying to focus on lot level aspects of green development standards, however it is challenging since many enhanced development standards migrate into measures both inside and outside of homes and buildings. To provide some additional context, numerous green development standards seek to reduce light pollution and its impact on nocturnal wildlife and the natural night sky. This may be achieved by mandating Dark Sky compliant exterior lighting fixtures on homes, buildings and public spaces. Another example is bird-friendly environments which often affect the glazing design

of buildings to reduce bird collisions. These are clear examples of scope-creep on the development application review process demonstrating how municipalities have directly contributed to lengthy development approval delays by continually compounding more frivolous requirements. What's even more apparent is that municipalities blindly replicate and copy one another on certain aspects of their green development standards. For example, the City of Toronto first introduced bird-friendly glazing requirements in their Toronto Green Standard applying to urban high-rise buildings. Seemingly lacking the understanding of the original purpose, other suburban municipalities have attempted to replicate Toronto's requirements but misapplied them to low-rise ground-oriented homes with limited proof of success or efficacy or even reasoning.

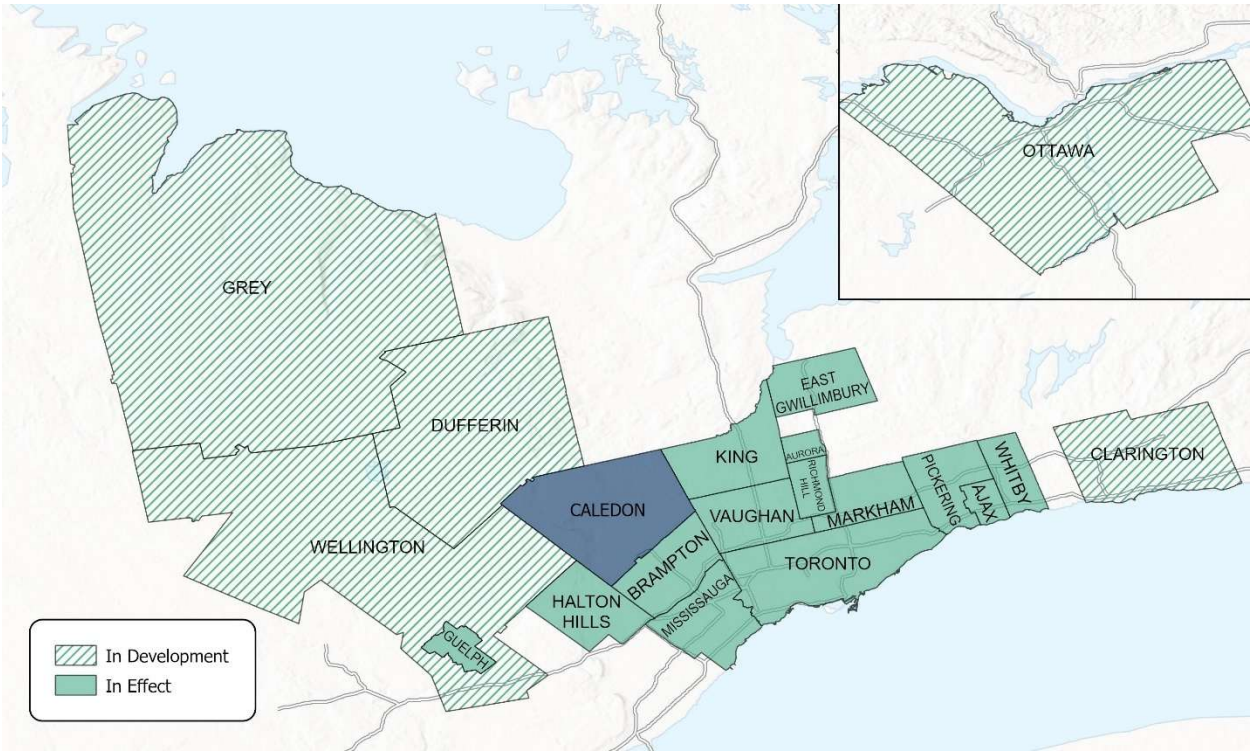
A common element that has made its way into several green development standards for both draft plan of subdivision and site plan control relates to various modes of transportation and the associated enabling infrastructure. This has evolved from something as simple as incorporating bicycle parking stations to now requiring spaces for residents to perform bike repairs / maintenance, to end-of-trip facilities such as changerooms with showers and now even electric bicycle (e-bike) charging stations. The same can be said for electric vehicle (EV) charging provisions. This has grown from providing measures such as EV-ready rough-in provisions for future homeowners should they need, to municipalities like the City of Toronto now mandating an energized outlet for Level 2 charging (or higher) for every residential parking space in new developments, regardless of whether a prospective homebuyer has an EV or not. What's even more troubling is the lack of understanding or feasibility for what these requirements trigger with respect to broader electrical infrastructure upgrades and the ability of the local distribution companies to provide for these requirements.

While the incremental cost to construct and implement all these challenging and onerous green development standard requirements is prohibitive to new prospective homebuyers, the often forgotten and hidden soft or opportunity costs relate to navigating the compliance process for each mandate. Every additional aspect or measure of a green development standard requires a professional consultant (engineer, architect, designer, planner, etc.) to be hired, generate a report, study, drawings and/or specifications to submit to a municipality for review, comment and eventually approve after much back and forth. Often, municipalities lack technical competency in-house to fully review reports submitted by the subject matter experts. They want the submissions but have no way to verify the accuracy of each. This process adds an immeasurable cost to the process of delivering new housing. The immense time it takes to navigate the process has even deeper, intangible financial implications on the cost of new housing.

Our members strongly believe municipalities need to be reined in with respect to what they can and can't include in the scope of a residential development application. Unless the province regulates a more streamlined and efficient framework, industry will have no hope of delivering new housing that is financially attainable to more Ontarians. Municipalities have developed their green development standards with virtually no rigor or any type of meaningful cost-benefit analysis. We agree that development standards once had a place when they strictly focused on the health and safety of residents. But they have since deviated

from this core principle to include convoluted sets of requirements that burden new residential development with seemingly well intentioned, but misguided scope creep. Roughly 15 years ago, prior to the existence of all these additional municipal development standards, development approvals were able to be achieved generally in a duration measured in months, whereas today the process is measured in years. That is a fundamental problem which is no longer sustainable amid today's housing supply and affordability crisis. Municipalities are the gatekeepers to all forms of new housing development and construction, and they must be held accountable for their part in enabling processes which facilitate the timely and efficient delivery of new housing.

What started as the epicenter of this municipal scope creep began with the voluntary Toronto Green Standard back in 2006. From there, the Toronto Green Standard became a mandatory set of requirements in 2010, forcing incremental measures on new residential developments which exceeded the Ontario Building Code. This again continued to evolve with the introduction of the Toronto Green Roof Bylaw, which also became mandatory in 2010. From there, the surrounding municipalities around Toronto over the last 15 years attempted to replicate versions of their own unique green development and building standards. At present, there are roughly 20 municipalities with individual green development standards, and no consistency amongst any of them. We need to get back to basics. New housing development cannot be a catch-all for municipalities to implement social engineering and reform agendas. Housing is a basic need, and the attainability of housing for all Ontarians needs to be treated in that manner; meaning municipal housing policies should not be able to subjectively increase the cost of housing outside of fundamental health and safety measures.



Once again, we appreciate this opportunity to provide comments, and we encourage the government to implement these amendments expeditiously and as always, we welcome any opportunity to further consult on this matter.

Yours truly,

Richard Lyall
President
RESCON