

**Green Development Standards (GDS) Round Table**

**Meeting Notes Summary**

**Friday January 19, 2018**

## **Background on CAC Green Development Standards Lessons Learned**

* The goal of Green Development Standards (GDS) is to increase the uptake of measures within new developments that improve the environmental performance of new developments and track the uptake of the desired metrics across all new developments within the municipality and region over time.
* Most Green Development Standards begin as voluntary standards. This step plays a role in increasing awareness and support for the standards (within the municipality as well as the development community) and influencing the market. The challenge for the voluntary approach has been that it has not be shown to result in significant uptake on the standards.
* The evolution of GDS includes East Gwillimbury’s requirement for all new single-family homes to meet the Energy Star Standard in 2006. Vaughan followed shortly thereafter with the same standard for new developments in their jurisdiction. Toronto’s Green Standard began as a voluntary standard in 2006 and Tier 1 of the standard became mandatory in 2010 with the voluntary Tier 2 standard being incented via a development charge rebate.
* With the more competitive development environment experience within 905 municipalities, it was felt that there was a greater challenge in setting standards in many of those municipalities. The development community did communicate their desire to municipal planners re: gaining consistency across municipalities. As such, Richmond Hill, Vaughan and Brampton came together to develop Green Development Standards that would apply across their municipalities.
* Voluntary standards can get uptake if they align with other measures that increase the understanding of their value or provide a financial benefit to the market. For example, the combination of Mississauga’s voluntary GDS and their stormwater management fee. Mississauga has found that uptake on the GDS metrics for LID have increased following their stormwater fee development.

## **Policy Advancements**

* The Clean Air Council has been working to advance GDS for at least 5 years. One of the key messages that municipalities have shared is that more advancement recognizing the municipal authority to mandate green development standards within their community would be of value. Therefore, the CAC focused the last year on trying to advance the policy framework to clarify and strengthen the municipal authority over green development standards. The Municipal Act update, Climate Change Action Plan, and the new Growth Plan has clarified municipal authority over green development standards. In addition, the Growth Plan update has identified the need for municipalities to incorporate climate change into Official Plan updates.
* The Planning Act specifically gives the authority for all municipalities to develop GDS for exterior sustainable design in their site control plans—this likely requires an Official Plan update (*Check out* *Richmond Hill’s Official Plan 3.2.3(2) & 5.14(3)*).
* Limits still exist on municipal authority to mandate what is required related to the interior of the building. The wording in the new MA/COTA (Municipal Act/City of Toronto Act) speaks to the Ontario Building Code still being the authority over interior building requirements. However, there does seem to be a possible opening in that if a standard is in the OBC that is voluntary rather than mandatory, there may be the possibility of a municipality being able to make that voluntary standard mandatory for their jurisdiction. This would enable them to increase the uptake of that standard if the voluntary approach is not receiving the uptake the municipality desires.

## **Next Steps RE Policy Advancement**

* The CAC submitted recommendations for the OBC review update that provides input on the improvements that would be of significant value to municipalities. Key recommendations included the below two recommendations:
* **The Clean Air Council recommends that the Ontario Building Code (OBC) create a long-term pathway to net-zero emissions for both Part 3 and Part 9 Buildings similar to the BC Energy Step Code. A similar type of step code for Ontario could be planned to start in 2022.The benefits of doing so are that the industry can then plan and develop training programs based on a consistent framework and manufacturers can better plan for market needs and accelerate the development of products that will drive performance and meet the required targets.**
* **Therefore, the Clean Air Council recommends that the Province in addition to enabling municipalities to pass by-laws related to green and other cool roof surfaces; (see page 7 of this submission) also provide municipalities with the authority to pass by-laws that enable them to accelerate adoption of higher than mandated energy and/or GHG performance within the Ontario Building Code into new buildings for developments that occur within their jurisdiction. Enabling Ontario municipalities that have the desire and capacity to move ahead of the minimum OBC standards to do so will benefit the entire province by building industry capacity for energy efficiency and climate change resilience innovation and thereby test and advance the market at a smaller scale. Successful adoption of standards at the municipal scale can then inform and be integrated into future updates to mandatory components of the Ontario’s Building Code thereby increasing capacity of the wider market more quickly and effectively across Ontario.**
* The complete Clean Air Council Fall 2017 OBC submission can be accessed [here](http://cleanairpartnership.org/cac/wp-content/uploads/2018/03/CAC-OBC-Submission_FINAL.pdf).
* Additional CAC green development resources can be accessed [here.](http://cleanairpartnership.org/cac/meetings/may-2017-green-development-standards-webinar-and-workshop/)

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## **Roundtable Updates**

**Burlington**

* Burlington is in the process of developing a Sustainable Building Development Guideline. Work is occurring in-house without the use of consultants. It is through the support of the CAC network that Burlington is able to undertake this work in house.
* The City began green development standards work in 2006. The planning department received various directions from council to pursue some sort of GDS; support for this initiative was also included in the Council’s Strategic Plan. In 2012, planning staff did bring forward a set of green development guidelines with supporting Official Plan policies, but Council decided the guidelines required more consultations with the development industry.
* The Hamilton-Halton Home Builder’s Association came out strongly against the guideline. Further setbacks occurred regarding a 10-year appeal of the Official Plan’s Sustainable Design Policies, which meant that no amendments to the Official Plan could occur until the appeal had been settled.
* In 2012, staff developed a GDS Project and initiated an update to the Sustainable Design Policies in the Official Plan review (this review is still ongoing). As part of the GDS Project, the planning department led very detailed consultations with internal staff to further refine the GDS guidelines. Additional consultations occurred with the development community which resulted in developers requesting further clarity regarding language being used within the guideline (requirements vs. voluntary). They expressed their concern regarding an overly prescriptive process as they wanted flexibility in choosing from a variety of different green development options; and requested more clarification as to how the green development measures would be implemented and how compliance would be demonstrated.
* The Sustainable Building Development Guideline and Official Plan Sustainable Design Policies have been revised to address the concerns expressed by the building community and internal staff. There was a specific focus on the delineation between mandatory requirements (as they relate to the building’s external features) vs. voluntary requirements (as they relate to the building’s internal features i.e. energy measures).
* During the new Official Plan review process, two drafts of the guidelines and policies have been presented to council and the public—they have been received well. In April 2018, the planning department is aiming to achieve council adoption for both the updated guideline and the Official Plan.
* For more information on Burlington’s new Official Plan Sustainable Plan Policy (see section 7.4) see [City of Burlington's New Official Plan Project](http://www.burlington.ca/en/services-for-you/Official-Plan-Review.asp)

**Clarington**

* Clarington established a GDS checklist for secondary plans; and a GDS checklist for subdivisions and site plans (formatted as a three-tiered approach). This work was supported by grant funding that paid for a full-time position until the completion of the Green Development Framework. Since that time, there has not been a dedicated staff position but subsequent GDS work has been shared throughout the planning department. The Vaughan, Brampton, Richmond Hill Joint-GDS was heavily relied upon throughout this GDS process but was tailored to fit the Clarington community context.
* In 2014, Clarington undertook a series of consultations with community members and the development community. At the end of 2015, Council endorsed the Clarington Green Development Framework, which presented a vision, an action plan and a set of preliminary green development check-lists.
* Throughout 2016 and 2017, the checklists and action plan was slowly implemented: there are still many actions that are classified as a work in progress. In 2017, at the end of an Official Plan comprehensive review, new policies that supported the implementation of the Green Development Framework were improved. The new policy required development applications to include a Sustainability Report indicating how the development addresses the Sustainability and Green Development Policies found in the Official Plan, and how the development addresses climate change mitigation and adaptation.
* In 2016, a new Community Improvement Plan (CIP) was developed that considered the Green Development Framework. This plan incorporated a Tax Increment Grant Incentive Program (TIGIP) that evaluated site plan applications and credited developers to receive varying degrees of financial incentives depending on the green development elements incorporated into their building designs.
* For building evaluation purposes, the town is working on developing a scoring system for the three-tiered subdivision and site plan checklist.
* To learn more about their Local Planning for Global Stewardship initiative, please check out [PRIORITY GREEN Clarington](https://prioritygreenclarington.com/home/)

**York Region**

* York Region has two voluntary sustainable development programs: The Servicing Incentive Program, which is geared towards low-rise residential development; and the Sustainable Development through LEED Incentive Program, which is geared toward high-rise development. Currently, the Region does not have dedicated staff to these programs but a Planning Administrator and Engineer from Environmental Services have been responsible for overseeing these programs.
* Both these incentive programs focus on water conservation and wastewater flow reduction. For the low-rise development, there is a 20% servicing allocation grant. For the high-rise, there is an additional 30% servicing allocation grant. Both grants are administered to the lower tier municipality and it decides whether to assign the additional allocation bonuses to the participating development or reassign it to another program.
* In 2018, the planning department is set to update their programs based on learnings since 2014. The Region will work with the participating development community as they report back on water conservation and wastewater flow reduction actions. This information will assist the Region in: assessing the success of the program; explore new program requirements, amendments and changes to improve existing processes; and explore other incentive options. By 2019, the review should be completed.
* The sustainable development programs are voluntary, and uptake from the development community has been low.
* Most of the uptake on York Region’s Sustainable Development Programs are from Aurora, Newmarket and Richmond Hill. In 2017, Newmarket mandated all participants to enroll in either programs as a mandatory requirement. East Gwillimbury has a sister program called the Sustainable Development Incentive Program, which is mandatory for the communities of Holland Landing, Queensville and Sharon West.

**East Gwillimbury**

* East Gwillimbury is reviewing and updating the Thinking Green! Development Standards (TGDS), which were originally approved in 2012. The Town requires that the TGDS be submitted as part of a complete application for community design plans, draft plans for subdivision and site plan applications. This direction is set out in the Town’s Official Plan. The draft builds on the existing standards but looks to update the program to reflect updates to OBC, to improve clarity for applicants and reviewers, and maintain flexibility. For more information, check out the [Thinking Green! Development Standards draft program.](http://www.eastgwillimbury.ca/tgds)

**Halton Hills**

* In 2010 Halton Hills brought in a GD Checklist. The completed GDS Evaluation Checklist had to be included in subdivision and site plan agreements.
* By 2014, the Town received a lot of feedback from the development community. The feedback triggered an update to the 2010 GDS Checklist as developers voiced their opinion that the checklist should be flexible in nature when choosing which sustainable design features to incorporate into their building design plans.
* The Town updated the Town’s Official Plan to include sustainable development as a consideration during the evaluation of building applications. This permitted the Town to change the layout of their GDS Checklist; from a rigid checklist to a flexible LEED-like menu of options developers are able to choose from. Additionally, the Town developed similar GDS checklists for mid and high-rise development, and institutional, commercial and industrial development.
* The menu-like layout for these new checklists incorporated a point system where each sustainable design feature was associated with a specific number of points. The developer had the opportunity to choose whichever green development feature they wished as long as it met the minimum point requirement set out by the Town in order to receive the Town’s approval.
* Recently the Town Council approved a full-time position for a Senior Sustainability Energy Planning Coordinator position that will be responsible for Climate Mitigation and GDS development (which will take up approximately 40% of their time).
* In 2019, the 2014 updated GDS Checklists will undergo a second iteration of updates and will be influenced by three different mechanisms:
* First, the new updates will incorporate GHG reduction components as the Town applied for MCIP funding under the section of aligning with the provincial GHG reduction goals of 80% by 2050.
* Second, updates will include components of the Town’s new Climate Change Adaptation Plan that focuses on building resiliency within the building sector (the Town’s Climate Change Adaptation Plan will also be released in 2019).
* Lastly, the Town is developing a Secondary Plan for a 1,000-acre new community in a greenfield area. As a subcomponent of the plan, the Town is developing an Energy Conservation and Water Conservation Strategy and a Sustainable Neighbourhood Design Guideline (required in the Terms of Reference for the Secondary Plan). These new mechanisms will be considered to be incorporated within the broader encompassing GDS Checklists updates.
* Town of Halton Hills [Green Development Standards and Strategy.](http://haltonhills.ca/sustainability/plansAndStrategies.php)

**Mississauga**

* Mississauga has transitioned from greenfield development to infill development. In 2010/2011, the City developed their Green Development Strategy, which set the stage for the various green development features the City was aiming to have advanced within developments.
* The City focused on metrics that related to stormwater and reducing flooding risk; therefore LID features and precipitation on-site practices were the primary area of focus.
* A focus was placed on educating and increasing awareness through municipal departments (not just the planning department) about the benefits associated with LID measures.
* Example of topics that the inter-departmental education consisted of includes: community services associated with protecting naturally valuable land, understanding how green development components can be applied within different departments (the City’s transportation department is now interested in disconnecting downspouts in order to reduce flooding). Additionally, the City tracks all green development actions undertaken by internal departments, which highlights how the municipality is progressing and showcases the synergies that occur from one department’s initiative to other departments.
* This awareness and understanding of the overall benefits associated with green development metrics have resulted in an increase in green development uptake within the municipality; and consequently, the development community—the City has led by example as more bike racks have been incorporated in transportation nodes and there has been an increase in LEED buildings within the City’s building stock.
* A GDS framework is a powerful mechanism because it ensures information is provided to developers before their application process begins as to what green development metrics the City is aiming to advance and why. This educational piece leads developers to consider features that were not previously on their radar. It is crucial to share this information at the beginning of the building application process rather than having to negotiate with the developers at the end when their design has already been established.
* During the preliminary stages of the building application process, it is also very important to stress to the developers that incorporating green development features is not new—various green development features have already been successfully incorporated into building design in different regions across Ontario—this is helpful especially when developers are hesitant to incorporate new technologies.
* Mississauga is working on its mitigation and adaptation Climate Change Action Plan that will be finished by the end of 2018. With the help of a consultant, the City hopes to develop policies within this framework that will strengthen the integration of land use planning and climate change mitigation and adaptation (and see if there are other opportunities to add this climate change context into the City’s Official Plan) in order to further advance additional sustainability metrics through the GDS.

**Toronto**

* In 2017 Toronto Council adopted the Toronto Green Standard (TGS) version 3 that included an energy and GHG energy use intensity (EUI) step and cap mechanism to achieve the 2030 targets of zero emissions for new construction. The TGS is formatted as a tiered performance system where Tier 1 is a mandatory requirement for developers. This mandate is supported by the City of Toronto Act section 114 (or section 41 of the Planning Act) and Toronto’s Climate Change Action Plan known as Transform TO. The TGS is managed across five different business units and there is a strong emphasis on training for all the various business units that is provided by the planning department.
* The step and cap mechanism is founded on the principle that every four years the minimum mandatory requirement (in this case Tier 1) will be removed as the next performance target level (Tier 2) becomes the new mandatory level. The TGS has a total of four Tiers out of which three tiers outline various degrees of progressive voluntary and incentivized green development measures. This step and cap mechanism strives for continuous energy reduction targets, which is necessary to achieve the very ambitious goal of reducing total provincial GHG emissions by 80% by 2050.
* The TGS influenced the OBC energy requirement, and now there is a new CSA Canada wide standard, to include bird collisions deterrence and light pollution reduction requirements.
* TGS encourages developers to consider the higher tiered voluntary performance measures (Tier 2 and above) through the Development Charge Refund Program. The City is also looking into other financial mechanisms that use payback savings to help with the initial price differential from Tier 1.
* Toronto advances energy performance requirements above OBC by mandating the requirement of an energy modeling report during the preliminary design development stage that occurs prior to site plan approval. This energy modeling report is similar to submitting a stormwater management or tree preservation report.
* Compliance is managed by regular site inspections and confirming site plan conditions in the site plan agreement align with the approved plans and reports submitted.
* Challenges include limited staff dedicated to the TGS procedure, training sessions, and other policy and planning work.

**Guelph**

* Guelph has Green Development Standard language in its Official Plan, but a GDS framework isn’t yet in place.

**Hamilton**

* Hamilton has not started developing a GDS as of yet but there is interest. The City of Hamilton has partnered with the City of Burlington through the Bay Area Climate Change Partnership. The City is hoping to learn from Burlington as to how they have advanced their GDS work. Additionally, the planning department has hired dedicated staff in charge of administering the City’s Community Energy Plan that will help propel the City to consider a GDS—this work will hopefully use internal guidance from the Air Quality and Climate Change Office in the Department of Public Health to help propel work regarding sustainable building design and energy efficiency.

**Windsor**

* Windsor is trying to determine how to advance a GDS. Windsor recently approved their Community Energy Plan in July of 2017. The City hired a two-year full-time position to advance the CEP, which the Council approved in the budget. This demonstrates the City’s commitment to move forward with the implementation of the CEP.

**Markham**

* Markham’s GDS Checklist is in a draft form and is being reviewed by senior management. In addition, consultations are taking place between the City and the development community. The City has not developed any incentives as of yet but there are requirements for developers building on greenfield areas located north of Markham to submit energy plans. The City has learned and borrowed a lot of information from Richmond Hill, Vaughan, Brampton, Toronto, and Halton Hills’ experience regarding: metrics used; how to develop and implement a GDS program; how to achieve compliance from the developing community; how to incorporate a focus on resilience; and spread awareness of GHG emission reduction opportunities within the GDS site application process. The City does not have dedicated staff working on this project and work is being advanced through the Sustainability Office and Planning and Urban Design Department.
* The City is planning on monitoring the performance of the local development industry in order to achieve some understanding of which GDS metrics have been most popular and the rate of compliance. How this information will managed and monitored still needs to be established but this work will be supported by the City’s Community Energy Plan that aims to reduce GHG emissions and energy consumption.
* This entire process has been a learning experience and the City is continuously working with the development community to address barriers to green development uptake. Two expressed concerns are: lack of experience in incorporating green development features during the construction of the building and the subsequent high up-front costs associated with the added features. The City’s Mayor and Council have very high expectations for the future development of Markham’s green areas (Net Zero/low carbon communities) and so staff has been dedicated to guiding the development community towards this new area.

**Green Development Standards Next Steps**

* Municipalities that have a GDS in place often provide a mechanism for developers to select the metrics they will advance within their development. As such it is very important to track and monitor the metrics getting uptake by the development community to ensure that the priority metrics of the municipality are getting the uptake the municipality seeks to attain.
* The OBC is under review and there is an interest in advancing voluntary standards into the building code, in order to create a possible mechanism that should those desired voluntary standards not get the uptake desired there is a mechanism to mandate those standards to increase uptake from the development community.
* The OBC has recognized climate change adaptation as an area that needs further development and improvement.

**Possible action items for the CAC Green Development Standard Community of Practice group could include:**

* A participation to engage through a GDS Community of Practice memo and white paper highlighting the value of a GDS can be used to support municipalities that currently do not have a Council approved mandate to advance a GDS.
* Gather case studies regarding GDS metric implementation that focuses on various types of measures being implemented, addressing the characteristics that make these measures “green,” and illustrating what these developments look like in these real-life developments—this can serve as a marketing and awareness building piece.
* Plan trips to meet peers in jurisdictions that have a GDS—this opportunity provides various members of staff/council who are unsure about pursuing GDS a chance to start conversations that may answer questions or uncertainties they might have. It is also a great opportunity to network and build relationships.
* A resource that lists the type of language/phrasing being used by municipalities that have already incorporated GDS within their municipal OPs, SPs etc.—this resource can be useful for municipalities that have council support and are looking to establish policy support for their GDS.
* Compile an incentive and financing mechanism options list that could help address barriers raised by the development community due to their concern over the price differential associated with green metrics that have upfront cost that pay back via operational savings.
* Reaching out to the development community to better understand their issues and work on ways to address them.
* FCM Municipalities for Climate Innovation Program (MCIP) will have an upcoming Transition 2050 funding stream slated to be released in spring of 2018. This stream may present a viable funding stream for a Green Development Standards Community of Practice that would bring municipalities together to implement green development standards within their individual jurisdictions and to increase the strategies that lead to increased uptake of metrics and standards.