



October 8, 2024

Donna Hinde, BES, MLA, OALA, FCSLA
Principal
The Planning Partnership
215 Spadina Avenue, Suite 120
Toronto, Ontario M5T 2C7

Re: Concerns Regarding the Draft Tri-County Green Development Standards Report

Dear Ms. Hinde,

I am writing on behalf of Thomasfield Homes Limited (Thomasfield) to express our significant concerns regarding the proposed Tri-County Green Development Standards (GDS). Thomasfield is a family-owned business that has been building communities and homes for families across the Tri-County area, including Grand Valley (Dufferin), Ospringe (Wellington), and upcoming projects in Guelph, Erin (Wellington) and East Garafraxa (Dufferin). As an organization that employs hundreds locally and has positive economic impact on the communities that we build in, we understand the direct impact housing affordability has on families.

The proposed **Green Design Standards (GDS)** pose a serious risk to affordability, with questionable payback both economically and environmentally. These standards will significantly increase costs while duplicating measures already enforced by the **Ontario Building Code (OBC)**, ultimately burdening homeowners without clear benefits. As one of the leading homebuilders in the region, we take environmental stewardship seriously and are committed to sustainable development. However, we believe the standards outlined in the draft report are unnecessary, overreaching, and misaligned with both provincial policy and the already stringent standards we adhere to under the Ontario Building Code (OBC).

Current Environmental Practices

At Thomasfield Homes, we pride ourselves on building sustainable, energy-efficient communities that go beyond mere compliance. Our development practices are based on industry-leading standards, including optimized land use, biodiversity protection, and rigorous energy efficiency protocols. These efforts align with the OBC, which is regularly updated to reflect advancements in green building technology.

In fact, our projects consistently implement practices such as stormwater management, low-impact development, and energy-efficient construction without the need for additional municipal regulation. Therefore, imposing an additional layer of duplicative standards through the Tri-County GDS will add no real value to our sustainability efforts.

No Provincial Policy Mandate

From a policy standpoint, there is no justification in provincial legislation for municipalities to impose Green Development Standards that exceed the requirements of the OBC. Neither the Provincial Policy Statement (PPS) nor the Planning Act grants municipalities the authority to mandate energy efficiency or environmental standards beyond those enforced at the provincial level.

Sections 41 and 51 of the Planning Act specifically limit municipal authority, making it clear that they cannot regulate construction methods or materials that fall under the jurisdiction of the Building Code Act (BCA). The Tri-County GDS as proposed, represents a legal overreach by attempting to legislate matters already governed by provincial law. This could set a problematic precedent where municipalities take on responsibilities that are beyond their scope of authority, leading to regulatory confusion and increased complexity.

You are likely familiar with the *Country Homes' Super Semi Energy Efficiency Demonstration Project* which offers a clear example of the challenges posed by increased energy performance standards like those in Tier 5. While the upgrades added over **\$50,000** in upfront costs, they only resulted in an annual energy savings of \$600 per year on utility bills. This represents a poor return on investment, ultimately leading to a financial loss. The Ontario Building Code (OBC) already ensures that new homes are highly energy efficient, and further savings from pushing these limits are minimal. Instead of imposing these costly requirements on new construction, municipalities should focus on improving the energy efficiency of Ontario's aging housing stock, where the "low-hanging fruit" for energy savings can be found. Retrofitting older homes would yield more substantial and cost-effective environmental benefits without unduly burdening new home construction with excessive costs. The study corroborated a similar case study that was presented by NRCan in 2023 and highlighted the need for a more thorough and ongoing analysis. *Study: Country Homes "Super Semi" Energy Efficiency Demonstration Project*
<https://cms.rescon.com/media/PDFs/Country%20Homes%20Report%20April%202024.pdf>

Increased Costs and Extended Timelines

One of our primary concerns with the proposed Tri-County GDS is the significant increase in costs and development timelines it will introduce. By adding yet another layer of regulation, these standards will burden the already cumbersome approval process, leading to delays in bringing much-needed housing to market.

The additional requirements associated with the GDS will inevitably drive up construction costs, which will be passed on to homebuyers. At a time when housing affordability is a critical issue in Ontario, further increasing the cost of development will only exacerbate the housing crisis. Our industry is already grappling with rising development charges, and this added layer of regulation will further hinder our ability to deliver homes at an affordable price point.

Duplication of Efforts and Unnecessary Overreach

The OBC—particularly under Part 12 and the supplementary standards SB-10 and SB-12—already sets some of the most advanced energy efficiency requirements in Canada. By introducing the Tri-County GDS, municipalities are attempting to impose standards that duplicate or conflict with the OBC, creating unnecessary confusion in the development process.

As a company that values innovation, we believe that the introduction of overlapping regulations will stifle progress. The additional red tape introduced by the GDS will slow down development timelines, increase costs, and introduce inefficiencies without adding measurable environmental benefits. Our industry needs streamlined processes, not more bureaucratic hurdles.

Existing Compliance with Provincial Environmental and Development Standards

Our developments already comply with Ministry of the Environment (MOE) guidelines, which ensure that high standards of stormwater management, water conservation, and biodiversity protection are met. Additionally, our site designs and landscaping adhere to established best practices that are environmentally sound and sustainable.

The unintended consequences of the Tri-County GDS are particularly concerning, especially as they attempt to enforce untested standards beyond the Ontario Building Code. Another approach would be to engage in discussions with the city's insurers and legal departments. There is a significant risk that enforcing these additional requirements without proper testing or consideration of long-term impacts could result in serious liabilities for municipalities. If builders are forced to implement measures that are not fully proven or appropriate for the local climate, cities could face class action lawsuits for enforcing standards they do not have the legal authority to mandate.

Given that we already follow stringent environmental regulations, the introduction of the Tri-County GDS is redundant. It seeks to regulate areas already governed by the MOE and the OBC, leading to unnecessary regulatory duplication that adds no meaningful improvement to environmental outcomes.

Impact on Housing Supply and Affordability

As Ontario faces a housing supply crisis, the implementation of the Tri-County GDS will further constrain our ability to meet housing demand. The added costs and delays will discourage investment and make it more difficult for builders like us to bring new housing developments to market in a timely and cost-effective manner.

The result will be higher prices for homebuyers and less housing availability. We are already competing in a challenging market, and additional regulatory burdens will push homebuyers to seek housing in regions that do not impose these unnecessary restrictions. This would hurt both the local economy and Ontario's overall housing strategy.

Conclusion

We fully support environmentally responsible development and remain committed to building sustainable, energy-efficient homes. However, the Tri-County Green Development Standards are unnecessary, legally questionable, and will only lead to increased costs, longer timelines, and diminished housing affordability. The Ontario Building Code already provides a robust framework for energy efficiency and environmental stewardship, and any additional standards should be addressed at the provincial level, not through municipal overreach.

We urge you to reconsider the inclusion of these standards in your final report and to instead focus on ensuring alignment with the OBC, which offers a clear path toward sustainable development without creating unnecessary barriers. We are open to further discussions and would welcome the opportunity to provide additional feedback on this matter.

Thank you for your attention to our concerns.

Regards,



Tom McLaughlin

Thomasfield Homes / Ariss Glen Developments Ltd.

cc. Hon. Sylvia Jones, Deputy Premier MPP Dufferin-Caledon
Hon. Mike Harris, Minister of Red Tape Reduction
Mark H. Kluge MCIP RPP, Town Planner, Town of Grand Valley