April 28, 2025

From:
West End Home Builders' Association
1112 Rymal Road East
Hamilton, Ontario L8W 3N7

To:
Members of Planning Committee
City of Hamilton
71 Main Street West

WE HBA Letter: Hamilton Green Building Standards Enhanced Engagement and Recommendations

The West End Home Builders' Association ("WE HBA") is the voice of the land development, new housing and professional renovation industries in Hamilton, Burlington, and Grimsby. WE HBA represents 320 member companies made up of all disciplines involved in land development and residential construction. In the Hamilton CMA in 2023, residential construction contributed over $3.8 billion in investment value, and provided nearly 17,000 jobs paying about $1.2 billion in wages[1]. WE HBA notes that these economic indicators are in rapid decline as housing starts continue to drop.

The WE HBA and its members are committed to environmentally responsible and sustainable development, built upon decades of experience, compliance with the requirements of the Ontario Building Code ("OBC"), and recognition of industry best practices. Prior to commenting further, WE HBA will state for the record that there is no Provincial legislation or policy – whether the 2024 Provincial Planning Statement ("2024 PPS"), the *Planning Act*, or the *Municipal Act* – which gives municipalities jurisdiction to impose sustainability or efficiency standards that exceed those already mandated by the *Building Code Act*, the OBC, the Ministry of the Environment, Conservation, and Parks, or the Ministry of Energy and Mines. While municipalities are permitted to regulate various aspects of development under the Site Plan Control process, the manner of construction and standards of construction are explicitly excluded from that authority under Section 41(4.1)(3) of the Planning Act.

WE HBA appreciates the opportunity to provide additional comment on the Green Building Standards ("GBS"). WE HBA has participated in engagement over the past several years as the City has moved to implement new building requirements to apply to new development. We appreciate that some of the concerns of the industry have been taken into account in the revised recommendations presented in report PED23114(a), such as prescriptive alternative compliance pathways and trade-offs for meeting the enhanced GHGI metrics. However, WE HBA wishes to express grave concerns with the revised recommendations presented to Committee today. The more ambitious GHGI, TEDI, and TEUI requirements proposed are aggressive and extremely challenging for builders to adhere to amidst the current market collapse. At the root of the collapse, is that builders and developers can no longer produce new housing in Hamilton at a cost the market can afford.

As it is noted in the City materials, cumulatively, the impact of the targets on the capital cost of new construction is in the area of 10%. Our members believe this to be a low estimate, when the cost of the remaining metrics as well as additional time, effort, and consultant reporting is taken into consideration. Currently, the market cannot bear additional costs. Builders are largely unable to construct homes at a price that the market can bear, which is reflected in the steep dive in housing starts and new housing sales. There is a very real need to reduce red tape and taxes on new housing

[1] *CHBA Economic Impacts 2023 Fact Sheet, City of Hamilton.*

by all levels of government; at the same time, the City now is looking to add significant costs, new reporting requirements and bureaucratic hurdles to new housing. If the City is serious about addressing the housing crisis and protecting jobs, this pattern cannot continue. These requirements are strongly discouraging; at a time when the City is struggling to attract new investment, adding new costs and time is a motivator for developers to look to jurisdictions without these onerous requirements.

Many of our members in recent years have advanced green building through meeting standards well above the Ontario Building Code ("OBC"), such as ENERGY STAR, Passivhaus, the HERS Index, CHBA's Net Zero Certification, and many more. WE HBA, through our provincial Ontario Home Builders' Association (OHBA), wholly owns the Enerquality Corporation, a leader in green building training and certifications. Builders are increasingly building to a higher standard, and have had incredible flexibility to build to a variety of standards that works for them and their purchasers and renters. Existing certifications have the benefit of simplicity and flexibility for developers to meet. Builders have used green building as a marketing tool, and are in the best positions to understand their target market, tailoring the techniques, materials, and systems to the desire of the end-user. Builders have strived to raise the standard of building in a way that is market-driven and not cost-prohibitive.

The Ontario and National Building Codes undergoes years of highly technical and scientific rounds of review to ensure that buildings are treated as systems, and that buildings throughout the province are held to the same standard. In 2024 alone at the National level there were over 500 technical committee meetings related to national code development that included the top building science practitioners across the country. Here in Ontario, the new code came into effect on January 1st, 2025 and included over 2,000 changes. As part of the Ontario Building Code update, 1,730 technical variations between the provincial and national code were eliminated. The goal at the national and provincial level is to streamline the process by harmonization of codes across the country. We are seeing this in other sectors as well in response to the tariffs and trade war with the United States. Our provincial and national governments are focused on harmonization, standardization and alignment to break down trade barriers and supply chain barriers on everything from trucking regulations to liquor regulations. We find ourselves in a critical moment as a nation where everyone in the country is coming together to harmonize our standards in the face of unprecedented economic and sovereignty threats. Meanwhile, the City of Hamilton appears to be taking the exact opposite approach.

WE HBA provides the following technical comments for Committee's consideration.

- For an average single detached home, the costs for mechanical systems and weatherization, as per 2025 National Building Code estimates, place the costs of the Tier 1 between $4790 and $5,990, and meeting the Tier 2 metrics at between $17,600 and $26,590. This does not account for meeting other metrics, including energy storage, demand control, renewable energy, etc.
- According to a separate review by WE HBA member Branthaven, which has extensive development expertise across the Greater Golden Horseshoe, the incremental cost per single-detached imposed by the metrics could exceed $23,000. When the additional financing cost of a mortgage are considered (25-year mortgage at 4.5%), this cost balloons to $41,000. For townhouses, these numbers are estimated at about $17,000 and $33,000, respectively. For the full cost estimate (based on the October 2024 metrics), please refer to Appendix A. Previous

estimates gathered from our membership place the cost of just building envelope, mechanical, and associated systems at a 4-8% premium (plus the cost of non-building related metrics, consultants, and reporting). At a time when no new units are selling due to the cost to build exceeding the price the market will pay, now is not the time to add tens of thousands of dollars to the upfront cost of a home.

- The ongoing trade war with the United States has caused serious issues with our supply chains and material sources, many of which come from the United States. Many material/equipment estimates of costs before Committee and conducted by our members are based on now out-of-date data that do not account for the devastating impact on international trade caused by tariffs. For example, cool roofs, which already can be 30% more expensive than traditional asphalt shingle roofs, are primarily sourced from the United States. This will only exacerbate the issue of cost and affordability of new home supply.
- Hybrid heating systems are extremely expensive to implement, and on a larger project can add millions to the project cost. Backup natural gas heating systems must be appropriately sized to meet peak loads when alternative heating systems such as heat pumps are unable to operate due to temperature extremes or in the event of power outages.
- Many of WE HBA's concerns from previous rounds of consultation remain outstanding. This includes the complete inappropriateness of the inclusion of metrics such as WM2.2 Operational Waste Reduction and Management (kitchen cabinet design), EB2.4 Tree Planting (shade at least 50% of the bike paths and walkway/sidewalk), CD5.1 Urban Agriculture, and CD8.1-8.4 Celebration of Heritage and Culture within a GBS document. While WE HBA understands these have been endorsed by Council, the concern remains. These additional outstanding comments are attached as Appendix B to this letter.
- Builders are running into issues with securing load capacity and transmission from Alectra. This is increasingly occurring in other jurisdictions where load management and lack of capacity is resulting in permits being held up. Have there been consultations with the City's utility provider to examine the true cost of improving local transmission capacity to service developments that will need to incorporate higher electricity demands as a result of the GBS requirements?
- The metrics utilize a 30g Co2e/kWh as the Greenhouse Gas Emission Factor for electricity. The National Building code is using a value of 57.9 gCO2e/kWh (which is derived from the National Inventory Report). This is taking a very optimistic view of how quickly the electric grid in Ontario is decarbonizing. The Independent Electricity System Operator (IESO) reports that emissions remain over 100 gCO2eq/kWh until 2033 which is more realistic due to the source[2]. This impacts assumptions on how many GHGs the home is emitting from the energy being utilized by electricity as well as their projections on how much GHG reductions the GBS will help achieve.
- Many builders are utilizing the Canada Mortgage and Housing Corporation Apartment Loan Construction Program to finance rental construction which incorporates sustainability, accessibility, and affordability metrics into its eligibility criteria. Builders will now be required to build to a different standard, thus increasing complexity in process. Our members are further concerned that lack of alignment with critical financial tools and programs through CMHC ultimately undermines national housing policy when the City is unilaterally implementing

[2] *Ontario Electricity Emissions Factors and Guidelines.* The Atmospheric Fund, June 2024.

policies that are not compatible with other critical financial tools. This will directly compromise future purpose-built rental supply in the City of Hamilton.

In closing, WE HBA is extremely concerned by jurisdictional over-reach and scope creep. These proposed standards exist fully within the realm of provincial jurisdiction. We have one Building Code in Ontario – not 444. WE HBA is alarmed by an apparent lack of open and transparent consultation between the City of Hamilton and the Ministry of Municipal Affairs and Housing given the fact that City standards will conflict with the Ontario Building Code. WE HBA is very concerned by the significant municipal staff time and taxpayer resources dedicated to this endeavour which directly conflicts with and attempts to override provincial policy.

WE HBA further notes that Energy policy is explicitly under the jurisdiction of the Ministry of Energy and Mines. We are concerned that various energy modeling and policies related to fuel switching have not been consulted upon with the Ministry of Energy and Mines and run in direct contravention with provincial policy as it relates to natural gas. The provincial government should be consulted with prior to the imposition of any new local standards that potentially conflict with provincial policy.

WE HBA is submitting separate letters to April 30th General Issues Committee in response to reports PED25117 Green Building Standards Implementation Plan and PED25105 Growing a Resilient and Environmentally Sustainable Hamilton Community Improvement Plan. WE HBA looks forward to continued dialogue as we work together to address the housing crisis and meet Hamilton's housing target of 47,000 new homes by 2031.

Sincerely,

Mike Collins-Williams, MCIP, RPP
Chief Executive Officer
West End Home Builders' Association

WEST END HOME BUILDERS' ASSOCIATION

Appendix A : Branthaven GBS Cost and Construction Feasibility Assessment for Low-Rise (Part 9)

City of Hamilton Green Building Standards
Cost and Construction Feasibility Assessment for Low-Rise (Part 9)

incremental cost estimate

Item #	Requirement	Detail	Cost (Townhouses)	Cost (Single Detached)	Notes
EC1.1	ENERGY STAR® for New Homes Version 17.1	Energy Advisor and registration costs	$ 675.00	$ 675.00	Includes energy advisor cost (optimizing models, Builder Option Package, training staff and trades, Blower Door Test) and ENERGY STAR® registration .
	Windows	UV1.4 or ER29 ilo UV 1.6 or ER 25	$ 926.00	$ 1,902.00	8-9% cost increase above SB-12 standard windows to get ENERGY STAR® certified windows.
	Insulation	R22 ilo R20, R60 ilo R50	$ 655.00	$ 1,000.00	Additional cost for upgraded insulation required to meet ENERGY STAR®.
	Penetration Sealing	Spray foam/seal all penetrations (exhausts, vents, windows/doors etc.)	$ 500.00	$ 500.00	Labour and Material.
EC2.1	Materials Emissions Assessment (BEAM)	Using Building Emissions Accounting for Materials tool or equivalent tool, measure A1-A3, stage emissions for all structural, enclosure and major finishes (cladding, flooring, ceilings, interior wall sheathing)	$ 1,000.00	$ 1,000.00	Consulting fee per house to do assessment.
EC5.1	Community Energy Plan	Consultant to develop plan	$ 15.00	$ 15.00	Consulting fee for plan; assumed based on $1500/100 units.
EC5.2	Solar Readiness	Conduit from Mechanical room to attic and Truss stiffening	$ 500.00	$ 1,700.00	Truss stiffening; 10% cost increase: Townhouses = $281/unit Single Detached = $1481/unit Conduit from Basement to Attic = $160
EC6.1	Feasibility of Shared Energy Solutions		$ -	$ -	In-House Assessment .
EC8.1	Building Envelope Air Tightness	Provide letter indicating approach to achieving air tightness	$ -	$ -	Energy Advisor to provide letter indicating strategies used; no cost.
EC9.1	Submeters	this might apply to secondary suites	$ -	$ -	Monthly fee of $30/month for electrical submetering
EC11.1	EV Ready Parking	100% of parking spaces EV Ready	$ 1,000.00	$ 1,000.00	Cost includes upgrading house to 200-amp service and 40-amp receptacle.
EC12.1	Bicycle parking energized	Garage outlet	$ -	$ -	Assume use of standard outlet in garage.
EB1.1	Native/Adapted species for new landscaping	50% native/adapted	$ -	$ -	
EB1.2	No invasive species	no cost	$ -	$ -	Previous city requirement. No additional cost.
EB1.3	Vegetated Protection Zones	Where development located next Agricultural lands, Natural Heritage Features, ESA etc. must provide 100% native vegetation protection zone	$ -	$ -	Previous city requirement. No additional cost.
EB2.1	Protect Mature Trees	Must provide a Tree Inventory Report and Preservation Plan	$ -	$ -	Previous city requirement. No additional cost.
EB2.2	Soil requirements for trees	Each tree must be provided min. 21m^3 of soil, unless shared then can be 16m^3	$ -	$ -	Previous city requirement. No additional cost.Typical subdivison boulevards provide for 21 m3 of soil volume.
EB2.3	Surface Parking Shade	1 tree for every 5 surface parking spaces	$ 600.00	$ 735.00	Additional trees beyond city standard would cost $735 per street tree and $600 per private trees.
EB2.4	Bike Path/Walkway/Sidewalk Shade	Plant trees to shade 50% of lengths	$ 625.00	$ 760.00	Additional consulting fees ($2,500/100 units) plus $600-$735 per additional tree needed to meet this requirement.

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incremental cost estimate

Item #	Requirement	Detail	Cost (Townhouses)	Cost (Single Detached)	Notes
EB2.5	Water and Maintenance Program	Provide water and maintenance program for trees for min 4 years after planting. Should include measures to reduce impact of de-icing salt	$ 25.00	$ 25.00	Additional consulting fees to prepare the operating and maintenance plan. Assumed $2500/100 units.
EB3.1	Bird friendly glazing	Must provide min 90% bird glass	$ 2,729.00	$ 3,278.00	Additional $7/sf of glazing area for bird friendly windows. Glass railings, additional $25-30$/sf of glazing area; average $1767/unit for Townhouses. Single Detached typically do not have decks or balconies with glass railing standard; no additional cost added.
EB3.2	Ground Ventilation Grate Size	Porosity of less than 20mm x 20mm (or 10mm x 40mm)	$ -	$ -	Catch basin grates are a standard OPSD size.
EB4.1	Dark Sky compliant fixtures	All exterior fixtures must be Dark Sky compliant	$ 294.00	$ 294.00	Dark Sky labelled fixture is $147/fixture more in lieu of a standard coach light. 2 lights assumed per house (1 - Front Entry & 1 - Rear Entry).
EB4.2	Architectural Illumination	Must be directed downward and shutoff between 10pm and 6am	$ 310.00	$ 310.00	Add 24-Hour multi programmable decora timer in lieu of standard switch. 2 switches assumed per house (1 - Front Entry & 1 - Rear Entry).
EB4.3	Lighting controls	Lighting controls for non-residential spaces; reduce nighttime spillage by 50% from 11pm to 5am	$ -	$ -	Applicable to Live/Work type units where there is commerical space. Cost would be $155/switch for a programmable timer switch.
W1.1	Fixture Flow Rate Maximums	Must be WaterSense® labeled; Toilets = 4.0L/flush (3 and 6L/flush for Dual flush toilets) Lavatory Faucets= 5.7l/min	$ 331.29	$ 331.29	$110.43 more per toilet. Assumed 3 toilets per house. Most Moen faucets and showerheads are WaterSense® labelled. Certain upgraded fixtures are not labelled and cannot be modified to meet the requirements which would impact upgrade offerings to homeowners.
W4.1	Erosion and Sediment Control	Provide long-term controls for ESC in conformance to Erosion and Sediment Control Guide for Urban Construction (2019); Demonstrate compliance with Green Standards and Guidelines for Low Impact Development	$ -	$ -	Previous city requirement. No additional cost.
WM1.1	O.Reg 103/94 Construction and Demolition waste management	Manage waste according to regulation	$ -	$ -	
WM1.2	Construction and Waste Management Plan	Develop and Implement plan, demonstrate diversion rate of 50% or more from landfill	$ -	$ -	Disposal company to provide sorting report for each bin used at no additional cost.
WM2.1	Design/Construct to City's Waste Design Requirements	Design/Construct according to section 3.5 of City of Hamilton's waste design requirements for new developments	$ -	$ -	Previous city requirement. No additional cost.
WM2.2	Built in Waste Receptacles in Cabinets	Provide "built-in" storage for min 3 containers for segregated collection. Must be min 8.5L for garbage and organics, 18L min for recycling	$ 590.00	$ 590.00	Built-in 4-Bin garbage organizer to meet specified requirements, per cabinet manufacturer.
CD1.1	Transportation Demand Management (TDM) Plan	Develop plan and demonstrate 25% reduction in single occupancy auto trips generated by development	$ -	$ -	Previous city requirement. No additional cost.
CD1.2	Cycling and Multi-use paths	Construct network of cycling and multi-use paths, connecting to bicycle network and implement recommendations of City's Transportation Master Plan and/or Cycling Master Plan	$ -	$ -	Previous city requirement. No additional cost. Cycling and multi-use path networks are determined at the secondary plan stage and influence the draft plan design.

City of Hamilton Green Building Standards
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incremental cost estimate

Item #	Requirement	Detail	Cost (Townhouses)	Cost (Single Detached)	Notes
CD1.3	Provide Direct routes encourage use of active transportation	Provide direct routes encouraging use of active transportation and connect to transit, commercial areas, community facilities, and parks	$ -	$ -	Draft plan & Site Plan design. No additional cost.
CD1.4	Transit Stop Location	Locate stops in safe and accessible areas	$ -	$ -	Draft plan & Site Plan design. No additional cost.
CD3.1	Bicycle Parking requirements	Min. 0.1 spaces per unit (Areas 1,2) 0.05 spaces per unit (other areas) of short term, 0.7 per unit (Areas 1,2) and 0.5 per unit (other areas) of long term	$ -	$ -	Previous city requirement. No additional cost.
CD4.1	AODA requirements	Meet AODA requirements 80.16 to 80.31 inclusive, for pedestrian infrastructure	$ -	$ -	Previous city requirement. No additional cost.
CD5.1	Garden Space Requirement	Min 0.5 sq. m per dwelling unit; Garden Space defined as land and/or alternative mechanism with growing medium that will be used to cultivate plants for food.	$ -	$ -	Assumed that indicating a dedicated garden area inside of required amenity space would satisfy this requirement. No additional cost.
CD6.1	Roof Heat Island Reduction Requirements	Use one or combination of green roof, cool roof and Solar PV installed for at least 75% of available roof space. Min initial SRI of 39 or aged SRI of 32 for Slopes >2:12 and Min. initial SRI of 82 or aged SRI of 64 for slopes <2:12)	$ 1,938.00	$ 5,031.00	Cool roof shingles are 30% more than typical asphalt shingles. Not readily available in Canada which presents supply chain challenges; typically imported from the USA.
CD6.2	Hardscape Heat Island Reduction Requirements	Use one or combination of strategies to treat at least 50% of sites hardscape: ● Paving Materials wit SRI of 29 or greater ● Shade from existing tree canopy or new 10 year canopy ● Shade from architectural structures that are vegetated or have SRI of 29 or greater ● Shade from structures with energy generation (Solar PV, Solar Thermal etc.)	$ 4,150.13	$ 4,150.13	Assumed 50% of driveway to be done in concrete vs. asphalt (9'-10" x 19'-8"). Cost is $32.52-$42.84 per sf for concrete in lieu of asphalt. Additional trees may be required to provide shade. City standard is 1 tree per interior lot and 2 trees per corner lot. Additional trees beyond city standard would cost $735 per street tree and $600 per private tree. Change of materials or colours presents streetscape aesthetic concerns.
CD7.1	Sustainability Handouts/ Education Package	Provide homeowners/tenants with handout outlining sustainability features	$ 20.00	$ 20.00	Estimated cost to create and print handout.
CD8.1	Natural Heritage Feature Buffers	Locate amenities and green space near NHF to create buffer; where trails occur or are planned, provide connection to broader community			Draft plan & Site Plan design. No additional cost.
CD8.2	Cultural Heritage Impact	Conserve heritage features per municipal and provincial policy; developments that may impact heritage features may need to submit Cultural Heritage Impact Assessment			Previous city requirement. No additional cost.
CD8.3	Public Art Incorporation	Incorporate public art into publicly accessible and visible areas or into building designs as an architectural element where feasible that celebrate area culture and history, examples include sculptures, murals, interpretive signage and architectural elements	$5,000-$50,000	$5,000-$50,000	This could be incorporated into public parks or amenity areas. Cost to meet this requirement is site specific and could vary based on feedback from the urban design department.
		Total cost	**$ 16,883.42**	**$ 23,316.42**	**Total cost excludes cost for CD8.3 - Public Art Incorporation.**

WEST END HOME BUILDERS' ASSOCIATION

Appendix B : Previous WE HBA Correspondence, May 2024

West End Home Builders' Association
1112 Rymal Road East, Hamilton
Serving members in Hamilton, Burlington, and Grimsby

May 2, 2024

TO: Mallory Smith, MCIP, RPP
Planning and Economic Development
Planning, City of Hamilton
71 Main Street West

WE HBA Letter: Hamilton Green Building Standards

The West End Home Builders' Association (WE HBA) is the voice of the land development, new housing and professional renovation industries in Hamilton, Burlington, and Grimsby. The WE HBA represents approximately 300 member companies made up of all disciplines involved in land development and residential construction, including: builders, developers, professional renovators, trade contractors, consultants, and suppliers.

WE HBA would like to thank the City and WSP for the opportunity to engage with the City regarding Green Building Standards (GBS). Through the Development Industry Workshop, WE HBA appreciates work to consult with WE HBA and our membership regarding policy that will guide future development. WE HBA would like to offer the following comments, questions, and concerns to help guide revisions to the proposed GBS.

Overall Comments

WE HBA appreciates and supports the City's commitment to climate action, and work on the GBS for alignment with the City's various policies regarding the environment and climate change including the Urban Hamilton Official Plan, the Climate Change Action Strategy, Community Energy and Emissions Plan, Urban Forestry Strategy, Biodiversity Action Plan, among others. WE HBA supports moves to sustainable, greener development patterns as we work together to mitigate and adapt to climate change and support climate resiliency.

Amidst the ongoing housing crisis, the feasibility and practicality of the Standards must remain a priority. WE HBA notes that the current City of Hamilton GBS consultation is occurring within the context of the Provincial Government making significant amendments to the Ontario Building Code, many of which directly impact energy performance. There are 1,730 changes to the Ontario Building Code with a short transition period for the industry to undergo training, make design changes, and adapt to a new regulatory environment. WE HBA states this to provide context that 2024 and 2025 are significant years with significant changes to how we build homes in Ontario.

We recognize that the City has identified numerous Tier 1 Mandatory metrics and Tier 2 Voluntary metrics that are to apply to developments regarding a wide range of building applications, including energy performance, solar readiness, tree planting, operational waste reduction, among others. The GBS represents a total of 47 Tier 1 and 29 Tier 2 Metrics of varying applicability by typology. While it may be possible theoretically to achieve all applicable Tier 1 metrics, in some cases it will not be feasible or realistic when considering housing constructability and affordability. Green measures can be expensive and land intensive while the City is simultaneously trying to achieve intensification and density rates that are much higher than historic norms.

As such, the approach of fulfilling all applicable metrics may not always be applicable and may in some cases be counter productive to other city priorities (i.e. intensification). Striking a balance between these objectives and keeping an eye towards the City of Hamilton's pledge to build 47,000 new homes over the next ten years must be paramount.

WE HBA, in consultation with our membership, request the following questions and comments be considered in the review of the metrics within the final Draft Green Building Standards before the consideration of the Standards before Council in Summer 2024, and further dialogue to ensure that the Green Building Standards are implementable by our membership.

Questions and Comments

1. What are the delineations between Low-rise Residential and MH Residential? Clarity on specific housing and built-form typologies will help determine applicability of the Standards to projects and determine potential impact.
2. EC5.1 and CD6.1 (On-site Renewables and Heat Island Effect) in combination present a challenge for builders to implement due to cost and design considerations. While cool roofs are generally practical to implement, building for solar or green roof readiness adds enormous costs to the construction of both low and mid-high rise residential typologies through increased electrical, structural, and mechanical costs and considerations. WE HBA suggests that the Tier 1 metric be modified to a lower rate to ensure that goals for increases solar PV coverage can be achieved while recognizing significant cost and practicality constraints.
3. WE HBA continues to have concerns regarding the 100% EV-Ready Charging requirement due to cost and servicing and grid constraints as related to the Zoning By-law (ZBL). Currently, only 3% of vehicles are electric. While in the long-term there is an intent to be able to service all parking spaces, in the short-term builders are required to perform 100% electrical load calculations as per the Electrical Safety Code. Thus, the entire building's electrical system must be oversized to accommodate a by-law requirement when most parking space users will not be charging in the near term. Depending on the size of the development, the cost for immediate expansion can be in the millions and take years – a cost and impact which is passed to future residents. If the utility provider is unable to supply the power (which is absolutely a very real concern), as currently drafted a significant number of developments will need to apply for a variance from the zoning provision to be able to proceed.
4. WE HBA requests clarification regarding the definition of Electric Vehicle Ready parking, which is stated as: "Electric Vehicle Ready parking is defined as a parking stall that has rough-in conduits, and associated power supply to support Electric Vehicle charging infrastructure Each circuit shall have conduit and wire sufficient to provide Level 2 charging or greater, **and shall end at an electrical box or enclosure located near each required space**." The bolded phrase does not align with the ZBL definition of an Electric Vehicle Ready Parking Space and should be reviewed.
5. WE HBA has serious concerns regarding metric CD5.1, requiring 3 sq. m per dwelling unit of community garden space for residential buildings. This is well beyond even the exterior amenity requirement in the Downtown, as well as for Mississauga and Toronto. The latest version of the Toronto Green Standard (TGS) has no requirement related to garden space or urban agriculture, and we feel there should be appropriate consideration for the absence of these requirements in the current TGS. This metric is simply not possible to achieve, especially in the context of denser developments, both low and mid-

high rise. For example, a 500-unit high-density development would require 1500 sq. m of garden space, which is larger than an Olympic-size pool at 1250 sq. m. This will be near impossible even in a low-rise development context, and WE HBA suggests this metric be re-thought with consideration of a reasonably-sized cap.

6. Metric CD2.1 refers to the location of the building, which as a land use consideration, WE HBA requests clarification on its inclusion within a GBS.
7. WE HBA supports the general intent of Section EB2 Tree Planting but encourages more flexibility under items EB2.2 through 2.4 in cases where site constraints including existing utilities and high-rise residential development contexts make it difficult to provide the required soil amounts or shade trees. It is often an issue when trees are planted within boulevards or within the ROW, which limits number of trees and soil volume.
8. Section WM2 Operational Waste Reduction and Management, while referencing the Waste Requirements for Design of New Developments and Collection (2021), does not align with the requirements contained within. WE HBA requests that this be reviewed and modified or removed from the GBS as they are already stipulated elsewhere. Additionally, WE HBA is concerned that the regulation of kitchen cabinet design is inappropriate within a Green Building Standard.
9. Metric CD 1.1 requires developers to submit a Transportation Demand Management Plan as part of their Site Plan Submission, which is an element that is not currently required under Site Plan. Will this now be an applicable/mandatory study for the completion of Site Plan Approval?
10. WE HBA is concerned with the appropriateness of Cultural Heritage policies under CD7, Celebration of Heritage and Culture. The duplication of these requirements, which are already stipulated under other municipal and provincial policies, is unnecessary and adds a redundant policy to the GBS. New City of Hamilton policies through a GBS should not overlap (and thus create potential conflicts) with other City policies, nor should the scope of GBS policies creep into areas of provincial jurisdiction.
11. WE HBA requests that through implementation, the provisions for any required documentation be made clear, simple, and practical to complete. This includes the various Letters of Commitment (alongside clarification on “qualified professionals”), educational material required under CD8.1, watering and maintenance programs for trees under EB2.5, etc.. These elements must be made clear through templates or other example documentation to guide builders and developers in fulfilling the requirements of the metrics. Additionally, in cases where the Tier 1 requirements cannot be fulfilled and do not require review (ex. Exploration of district energy systems in areas where there are no contemplated systems), flexibility should be incorporated to prevent unnecessary review and documentation.

Toronto Green Standard Comparison

When evaluating the proposed Hamilton Green Standard requirements, it is logical to turn to the Toronto Green Standard for comparison as the City of Toronto has been the front-runner for Green Standards in Ontario. Further, the City of Toronto has the benefit of experience given that they have gone through the process of implementing and revising several versions of the Toronto Green Standard since its inception in 2010.

The Toronto Green Standard (TGS) presents 5 sections with a collection of either 24 or 35 Tier 1 requirements based on whether the proposed built form is low-rise (below 4-storeys) or mid- to high-rise (4-storeys+). Each Tier 1 requirement outlined in the TGS Checklist is simple, easily implemented across a variety of site conditions and present clear metrics to be met. As an example, the Low-Rise TGS Checklist states "minimum 2.1 meter pedestrian clearway" under AQ2.2. In contrast, Item CD1.2 of the proposed Hamilton Green Building Standard requires development to "construct a network of suitable cycling facilities and multi-use paths within the development which also connects to the bicycle network and implement recommendations of the City's Transportation Master Plan and/or Cycling Master Plan", in addition to two other bullets which do not contain a metric. Where the TGS example could be easily transferred and implemented across any site, the Hamilton GBS example is vague and reads more like a policy direction than a standard to be met. Efforts should be made to make the Hamilton GBS Tier 1 requirements quantifiable and transferable to any site within the City of Hamilton to ensure the effectiveness and feasibility of each requirement is secured.

Further, the TGS limits the scope to matters relating to Air Quality, Building Energy & Emissions, Water Quality, Ecology & Biodiversity, and Waste & Circular Economy. The Hamilton GBS has numerous sections including 'Celebration of Heritage and Culture', 'Accessible Design', 'Urban Agriculture', etc. which should be reconsidered to ensure that the Green Standard functions as a set of sustainability requirements rather than a collection of matters which are outside the scope of a sustainability policy document and are appropriately captured by existing provincial and municipal policy documents.

Transition and Next Steps

Through the development of implementation policies later this year, WE HBA encourages the City to utilize transition strategies similar to the City of Toronto, whereby the applicability of the Green Standards is based on when applicants apply for Site Plan, ensuring that projects submitted prior the Green Standards coming into force and effect are exempt. Over time, as Green Standards evolve over the years, it is important for this transition policy to continue to apply to projects under Site Plan Review to ensure the application is reviewed against the Standards in place at the time of Site Plan submission. WE HBA requests that the industry be thoroughly consulted to ensure projects currently in the pipeline are able to proceed and developers are able to adapt to changing standards as future projects are considered.

Additionally, through implementation, WE HBA encourages the use of incentive programs that are to apply to the Tier 2 Voluntary metrics to encourage uptake from builders and pushing the envelope on green building. WE HBA encourages staff, Committee and Council explore the use of Community Improvement Plans to direct funding towards green measures that go above and beyond the Tier 1 mandatory metrics, as the high cost of such measures will discourage uptake.

Sincerely,

Michelle Diplock, RPP, MCIP, MPl
Manager of Planning and Government Relations
West end Home Builders' Association

Anthony Salemi, BURPl
Planner, Policy and Government Relations
West end Home Builders' Association